THE GREAT AMERICAN DISSONANCE

What Conflicting Values Reveal About the United States

NOOSOPHIE INTÉGRATIVE

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INTRODUCTION — MORALITY EMERGES IN CONFLICT

A society can easily say what it admires. It can enshrine principles in a Constitution, repeat them in speeches, teach them in schools, celebrate them in founding narratives, and turn them into symbols. Freedom. Equality. Democracy. Work. Responsibility. Family. Security. Progress. Human rights. These words are not empty. They can produce rights, institutions, prohibitions, spending, reforms, and sometimes very real sacrifices.

But a list of values is not enough to describe a collective morality. As long as those principles point in the same direction, almost any society can affirm them together. The difficulty begins when they are no longer compatible. One form of freedom may make a policy of equality harder to pursue. A security measure may restrict individual autonomy. One conception of personal responsibility may narrow an obligation of solidarity. An innovation may create useful abundance while imposing risks or harms on others. A strategic alliance may protect certain interests while conflicting with a public commitment to human rights.

It is in situations like these that morality becomes more visible. Not because conflict suddenly reveals some hidden and definitive truth about a nation, but because it forces choices: some things must be protected, others limited, postponed, subordinated, or sacrificed. The question, then, is not simply: What are American values? It is more demanding: what happens to those values when they can no longer all be upheld at the same time?

That question rules out an easy conclusion. It would be simple to take a proclaimed principle, find an action that seems to contradict it, and immediately write: hypocrisy. Sometimes that diagnosis may be warranted. An institution may publicly defend a value it has no intention of applying. A public argument may conceal an interest. A justification may be constructed after the fact to make a decision seem acceptable. But the same gap between words and actions can have other causes. Two sincerely held values may conflict. A rule may apply differently depending on the status of the person concerned. A decision may be made with incomplete information. One risk may be treated as more urgent than another. A cost may be shifted onto a group that carries less weight in the decision. An institution may even correct, years later, a practice it once considered compatible with its principles.

The word hypocrisy therefore remains available. It will never be the default diagnosis. This book begins instead with a more open hypothesis: collective morality is easier to observe in a society's tradeoffs than in its declarations taken in isolation.

1. From Proclaimed Values to Operative Values

To speak of an "American morality" requires resisting an initial temptation: imagining the United States as a single person who thinks, wants, regrets, or lies with one voice. A nation does not have a psychology comparable to that of an individual. It contains citizens, institutions, government agencies, courts, corporations, associations, states, generations, and groups whose interests and principles may diverge. A Supreme Court decision, an act of Congress, a police practice, a corporate policy, and a social movement are not interchangeable expressions of the same inner subject.

The inquiry must therefore remain more limited. It can examine texts, institutions, rights, public actions, decisions, spending, prohibitions, justifications, and corrections. It can compare what a value is supposed to protect with what it actually produces in a given case. It can follow conflicts among actors and see which protections survive when maintaining them becomes costly. It can document historical change. What it cannot do is turn those observations into a psychological diagnosis of "Americans" as a homogeneous whole.

That limitation matters because it changes how values are discussed. A proclaimed value is a principle explicitly defended. It may appear in a founding document, a law, a judicial opinion, a speech, an institution, or a public narrative. An operative value is harder to establish. It does not merely get named; it produces something. It becomes an enforceable right, a prohibition, a constraint, an expenditure, a protection, a reform, a limit imposed on another power, or a cost that someone is willing to accept.

The distinction is not simply one between truth and falsehood. A value may be proclaimed very strongly while remaining weak in a particular domain. It may be highly operative for some people and far less so for others. It may produce real effects while also being regularly limited. It may even become strong enough to prevent the full application of another value that is also recognized.

This is why actions consistent with a principle matter just as much as contradictions. If the inquiry looked only for episodes in which a principle was violated, it would be biased from the start. American values have also produced rights, mobilizations, institutional reforms, and corrections that imposed real costs on people who previously held an advantage or exercised power. A serious analysis must therefore be capable of concluding that a value is genuinely operative, even when it is neither operative everywhere nor operative all the time.

Conflict then becomes the most useful unit of analysis. When freedom and equality seem to pull in different directions, the first question is what each means in the specific case under examination. When individual responsibility and solidarity clash, the issue becomes: who should bear the risk, under what justification, and to what extent? When security and liberty conflict, we need to ask who may coerce whom, through what procedures, and subject to what limits. When innovation, abundance, and the protection of health or the natural world diverge, we need to identify who receives the benefits, who bears the costs, and when those costs appear. When human rights and strategic interests stop aligning, we need to observe what the state actually protects and what it is willing to limit.

None of these questions can be answered simply by counting how often a value appears in public rhetoric. A value becomes more revealing when it meets resistance. If defending it costs nothing, its actual importance is difficult to gauge. If, by contrast, it forces an institution to give up some degree of power, spend money, compensate someone, constrain a majority, protect an adversary, change a rule, or accept a risk, the value becomes easier to observe.

This does not mean that a costly decision is automatically moral. Cost is not proof of justice. An institution may spend enormous resources pursuing an indefensible policy; a sacrifice may be imposed on people who never chose to bear it; a policy may be perfectly consistent with one value while gravely violating another. Cost is only a revealing variable. It forces additional questions: Who pays? Who decides? Who benefits? What alternatives existed? Is the cost reversible? Is it borne by the person being protected, or shifted onto someone else?

Attention to cost also prevents another simplification: confusing a strongly operative value with an absolute one. A freedom can receive substantial protection while still being subject to limits. Equality can generate binding obligations without erasing every difference in status or resources. Security can justify certain restrictions without granting unlimited power to those who invoke it. This book will therefore not search for one sovereign value that explains every decision. It will look instead for competing presumptions whose strength varies according to the people involved, the institutions concerned, and the circumstances.

2. Observing a Tradeoff Without Building a Moral Machine

A few questions will recur throughout the book whenever a tradeoff is reconstructed. They seem simple, but the order in which they are asked matters.

The first task is to determine what value is actually at stake. "Freedom," "equality," "security," and "responsibility" are too broad to be useful until they are defined in a specific case. Freedom may mean freedom from coercion, freedom of speech, the ability to own property, to choose, to start a business, or to participate in political life. Equality may mean equality before the law, political equality, equality of opportunity, or an effort to correct certain material inequalities. Security may concern an individual, a community, the state, or critical infrastructure. The same label can therefore describe very different functions.

The next task is to identify what makes the value operative. A proclamation does not carry the same weight as a right that can be invoked in court. A public preference is not the same thing as money appropriated through a budget. A value that produces a prohibition or an institutional protection exercises a form of power that can be documented. This distinction prevents us from confusing the prominence of a word in the national story with the actual force it carries in a decision.

But a tradeoff appears only when there is a competing value. A policy almost never restricts "freedom" in the abstract; it restricts a particular freedom in the name of another protection, another person, or another risk. Likewise, an institution does not necessarily abandon equality when it recognizes a difference; it may regard that difference in status as legally relevant. The task is therefore to reconstruct what was actually weighed against what, even when the actors themselves do not explicitly describe their decision in those terms.

This is where the real alternatives must be examined. Judging a decision against an option that did not exist, or one that would have imposed a radically different cost, distorts the analysis. The proper counterfactual is not an ideal world. It is the set of choices that were genuinely available at the time, with their constraints, uncertainties, and foreseeable consequences. This requirement does not make every decision excusable. It simply prevents history from being compared with a perfect solution invented after the fact.

The status of the person concerned is equally important. A value may be proclaimed in universal terms while being applied to different circles of people. Citizen, voter, resident, worker, convicted offender, minor, ally, or foreign population do not always stand in the same relationship to the institution making the decision. American history makes this variable especially visible: the circle of those entitled to claim a protection in full has changed over time—sometimes expanding, sometimes contracting, sometimes being redefined.

The mere existence of a status boundary, however, is not enough to condemn it. Some boundaries perform a genuine political or legal function. Voting rights, for example, are not distributed according to exactly the same rules as protection against unlawful violence. Citizenship is not identical to legal personhood. A boundary may therefore be functional without being morally justified; it may be justified in one domain and contestable in another. This book will consistently distinguish those two questions.

The distribution of costs must also be followed. Who bears the uncertainty? Who loses a freedom? Who pays for a protection? Who is exposed to risk? Who can opt out of the decision? Who receives the benefits? These costs are heterogeneous: money, time, autonomy, health, status, security, power, capacity to act. Combining them into a single score would make no sense. The point is instead to make visible what disappears when analysis remains at the level of principles alone.

Counterexamples, finally, will be mandatory. An argument that selects only episodes confirming its conclusion quickly becomes advocacy. If a chapter argues that a principle is often limited, it must also look for cases in which that principle genuinely imposes a cost. If an institution appears mainly to protect a dominant interest, we must also ask whether it has protected people whom it constrained elsewhere. If a theory of responsibility seems too simple, we must look for second-chance mechanisms that complicate it. If foreign policy appears reducible to strategic interest, we must examine episodes in which a real cost was accepted in pursuit of an objective that cannot easily be reduced to that interest.

The counterexample is therefore not a polite concession. It is a test. It may force a conclusion to be abandoned, but it may also make it better. Claiming that a value is never operative is far more fragile than showing that it becomes operative under certain conditions. Claiming that difficult or dangerous work is never rewarded would be false if some hazardous occupations are also well paid; the analysis must instead ask what makes some forms of hardship economically visible while leaving others far less so. Claiming that a nation never corrects its injustices would be false if reparations exist; the task then becomes to distinguish recognition, repair, and the impossible erasure of the original harm.

This method does not automatically produce a verdict. It cannot turn heterogeneous criteria into a moral machine. A decision may protect more people while imposing an extremely severe constraint. A reform may be costly and still insufficient. A restriction may be legally coherent and morally contested. An intervention may arise from a defensible reason and still produce grave consequences. The first task of analysis is to separate these elements so that judgment does not rest on a confusion.

3. What This Book Can Test—and What It Cannot Promise

The book that follows is neither a general history of the United States, nor an indictment, nor an apologetic defense. It will not try to prove that "America" possesses a stable moral essence. Nor will it assume that all of its contradictions are innocent. Some may involve deception, domination, self-interest, or rationalization. Others may reflect genuine conflicts among competing principles. The inquiry must be able to accept different findings in different cases.

Nor will it produce a pyramid of American values. The idea may be tempting: observe enough decisions, assign weights to freedom, equality, security, work, property, or human rights, and then conclude that one consistently outranks the others. But such a hierarchy would erase precisely what the cases reveal. The force of a value varies with the person or group concerned, the level of government, the nature of the risk, the degree of causal control, the alternatives available, whether a right has constitutional protection, the irreversibility of the harm, and the way costs are distributed.

The intended result is therefore more modest: a provisional grammar of tradeoffs. It will not tell us which value is "worth" the most in general. It will help us see more clearly which variables change the decision. A liberty protected against a majority does not raise the same problem as economic autonomy limited by regulation. Solidarity based on prior contributions is not identical to assistance based on need. Coercion applied to a convicted offender is not evaluated in the same way as coercion applied to an innocent person. A foreign population does not occupy the same institutional position as a citizen, even when the value at issue is proclaimed as universal. These differences resolve nothing by themselves; they tell us where to look.

The book will proceed through these conflicts. It will begin with the political promise itself: freedom, equality, and government by the people. These three ideas are often presented as compatible, yet their institutional expression shows how they can constrain one another. The next question will be who fully belongs within the circle to which that promise applies. The problem of merit will require distinguishing among work, hardship, markets, property, and status. Solidarity will require examining how individual responsibility, family, employers, insurance, and government divide the burden of risk. The legitimacy of coercion will lead to policing, punishment, self-defense, and protest. Progress will require examining innovation and abundance alongside health, the natural world, and the timing of costs. Foreign policy will test what becomes of proclaimed values when they meet strategic interests, alliances, and power. Finally, we will examine what happens after a contradiction has been exposed: acknowledgment, recognition, apology, reparation, reform—or merely a rewriting of the story.

The conclusion cannot be decided before that journey has been made. If the analysis is honest, some chapters will have to resist the intuitions with which the inquiry began. A value may prove more operative than expected. A boundary may perform a genuine function without thereby becoming legitimate. An institution may protect in one case and constrain in another. A reform may be real while remaining late or incomplete. One contradiction may reveal a sincere tradeoff, while another may give us good reason to speak of rationalization or hypocrisy.

This openness does not prohibit judgment. It only delays it. Mapping a conflict is not the same as deciding that the conflict is acceptable. Understanding why an institution chose one option is not the same as approving that choice. Reconstructing the alternatives is not the same as excusing the decision that was made. Analysis must first establish what was actually chosen, who bore the cost, and which value was protected or constrained. Judgment can then become more precise because it addresses a real configuration rather than a word.

We must also distinguish textual coherence from lived coherence. A Constitution may state a principle forcefully while its application remains partial. A society may possess powerful mechanisms of self-correction while continuing to reproduce other contradictions. A reform may genuinely transform an institution without repairing everything that came before it. Likewise, a value may be sincerely defended by actors who fail to make it operative. These distinctions matter because discourse, institutions, actions, and consequences do not all exist at the same level of reality.

The proposition guiding this book can therefore be stated more precisely:

A civilization does not reveal its entire morality when it recites its values. It reveals an important part of it when it must decide which value to protect, which to limit, who will bear the cost of that decision, and what it is willing to correct afterward.

The first task, then, is to define the promise before judging its tradeoffs. Freedom, equality, and government by the people occupy such a central place in the American political story that treating them as mere slogans would tell us very little. They have produced institutions, rights, conflicts, and mutual constraints. Before asking which one prevails when they collide, we need to understand what each protects when it becomes law, procedure, or coercive authority.

That is the task of Chapter 1.

CHAPTER 1 — THE AMERICAN PROMISE

Freedom, Equality, and Government by the People

The phrase is so familiar that it can become almost invisible: "all men are created equal." In 1776, it was proclaimed within a political order that still maintained slavery, reserved public participation for only a fraction of the population, and accepted civil hierarchies that the language of the text itself seems to contradict. It would be tempting to resolve that tension immediately. One could say the phrase was nothing more than hypocrisy because its application was profoundly exclusionary. Or one could detach the principle from its historical context and treat it as though it already contained everything it would come to mean later.

Neither approach is satisfactory.

The first erases the normative force that this language later acquired. The second erases the real exclusions of the order that produced it. Both must be held together: a principle can be stated in universal terms, applied very incompletely, and later become a resource for challenging the very order that first proclaimed it. The contradiction does not disappear; its function changes. It becomes a historical and institutional question: how can a promise broader than its original application continue to exert force?

This question does not concern equality alone. The Declaration of Independence links equality, unalienable rights, and political legitimacy derived from the consent of the governed. A few years later, the Constitution opens with "We the People" while organizing an order in which several purposes coexist: justice, domestic tranquility, common defense, general welfare, and the blessings of liberty. From the beginning, then, American political language cannot be reduced to a single value.

Three presumptions will structure this book more than any others: freedom, equality, and government by the people. The word presumption matters. It does not mean that any one of them always prevails. It means that a decision limiting one usually must be justified by something else: another freedom, a claim of equality, a constitutional right, a democratic procedure, a protection, or a competing constraint. These three principles are strong enough to create rights and limit institutions. They are also different enough to conflict.

The question is therefore not which of them is the "true" American value. The question is how they become law, procedure, and coercive authority—and what happens when they stop pointing in the same direction.

1. A Founding Promise Broader Than Its Historical Application

A political promise is not defined only by the purity of its first application. It can also acquire force through the uses made of it by those it excludes, by its opponents, and by later generations. The equality language of 1776 did not abolish slavery. It did not immediately create a universal political community. It did not erase differences in legal status or power. It would therefore be false to read it as an accurate description of the society in which it appeared.

But it would be just as false to conclude that it had no force at all.

The Declaration does not perform the same legal function as the Constitution. By itself, it does not create an enforceable right in the same way a constitutional amendment can. It does, however, provide a normative statement of legitimacy: human beings are equal in principle, they possess certain rights, and governments derive their just powers from the consent of the governed. These propositions may remain only partially realized while still defining a horizon against which institutions can be judged.

That is what makes the relationship between text and history more complicated than a simple opposition between ideal and reality. A society can proclaim a norm it applies badly; that same norm can later make the failure more visible. Inconsistency does not necessarily cancel the force of a principle. It can also reveal that force when the language of the established order becomes usable against some of that order's own practices.

The Constitution gives the promise a different institutional form. "We the People" does not mean that every decision will be made directly by the people, or that a temporary majority may do whatever it wants. The document distributes power among institutions, levels of government, and procedures. Representation, separation of powers, federalism, and the amendment process organize a mediated form of popular authority. Constitutional rights and judicial review later add further limits capable of constraining decisions made by elected institutions.

The distinction between the Declaration and the Constitution also prevents a common confusion. The former expresses legitimacy and rights in the language of principle; the latter organizes powers, jurisdictions, and procedures. The fact that a proposition appears in a founding document therefore does not automatically give it the same legal force as a constitutional guarantee. Conversely, the absence of an immediate enforcement mechanism does not necessarily reduce a principle to decoration. Part of the recurring American tension lies precisely in this movement between expansive normative language and much more determinate legal instruments. This book will consistently separate those levels before judging their coherence.

This mediation is central. Government by the people is not merely the fact that citizens vote. It is also the construction of an order in which public authority must come through institutions made legitimate by procedures and then remain bounded by rules that prevent a majority from disposing entirely of the rights of everyone else. Constitutional democracy therefore contains an internal tension: political power must come from the people, but the power of the people cannot be identical to the unlimited power of the majority at a given moment.

The same caution is necessary with freedom. The word may refer to freedom from interference, the ability to speak, assemble, worship, conduct business, own property, move, or organize private life. These dimensions are not interchangeable. Some receive direct constitutional protection; others depend more heavily on ordinary law, property rules, or material conditions. Saying that freedom is a strong American value does not mean that every kind of constraint is equally suspect.

The First Amendment nevertheless provides a clear example of freedom becoming institutionally operative. Among other things, it prevents Congress from abridging freedom of speech or of the press, and protects peaceful assembly and the right to petition the government. Freedom is no longer merely a word in the national story; it becomes an enforceable limit on public power.[1]

That point matters more than it may seem. If a freedom can prevent the state from acting as it otherwise would, that freedom has institutional force of its own. It no longer depends entirely on the goodwill of those who govern. But this still does not mean the absence of all rules. Freedom functions more like a presumption: when an institution seeks to limit it, the institution must be able to invoke another justification strong enough to do so.

Equality follows a different path. The Fourteenth Amendment prohibits states from denying any person within their jurisdiction the equal protection of the laws. That language does not promise equality of wealth or outcome. It does not make every difference in treatment constitutionally impossible. It does, however, give some claims of equality a legal status strong enough to constrain the states themselves.

These distinctions matter because "equality" can refer to very different things. Legal equality concerns the application of rules. Political equality concerns participation and civic status. Equality of opportunity concerns access to possibilities. Material equality concerns resources, income, and concrete living conditions. American law has not turned all of these dimensions into identical requirements. This chapter therefore cannot treat equality as a single undifferentiated block.

The founding promise can already be stated more precisely. Freedom protects spaces of autonomy against certain forms of power. Equality can require constitutionally comparable treatment. Government by the people gives political order its legitimacy, but through procedures and limits. These principles are neither identical nor naturally harmonious. That is precisely what makes them interesting.

2. Freedom and Equality: When Rights Become Reciprocal Constraints

Brown v. Board of Education shows what happens when a value stops being merely proclaimed and becomes capable of invalidating an institution.

Public school segregation was not simply a private prejudice. It was organized by public authorities, supported by rules, and embedded in local institutions. Brown held that this organization was incompatible with constitutional equality. The case therefore shows that equality can operate as a constraint on an institution that nevertheless has a political and local basis.[2]

This is a decisive point. A practice does not become legitimate simply because a local majority supports it. Government by the people does not mean that every decision made by a democratically authorized institution is immune from rights-based review. In Brown, equality limits what a community may decide to do through its public institutions.

That does not turn equality into an absolute power. The Fourteenth Amendment does not abolish all distinctions, and Brown does not by itself define every requirement of an equal society. The case shows only that a value can carry enough force to invalidate an established public arrangement. That is already significant: equality is not merely decorative if it can compel institutions to change.

The relationship between freedom and equality becomes more difficult when a policy designed to prevent discrimination encounters a claim of freedom of speech.

303 Creative LLC v. Elenis provides such a case. Colorado had a law applying to businesses open to the public and intended to prevent certain forms of discrimination. A website designer argued, however, that applying the law to her in certain circumstances would require her to create expression she opposed. The Supreme Court held that the state could not apply the law in a way that compelled her to create that message.[3]

The conflict is instructive precisely because neither value is imaginary. The anti-discrimination objective does not become fictitious because freedom of speech prevails in this particular case. Nor does freedom of speech become a mere excuse because it limits one application of anti-discrimination law. The difficulty is that freedom of speech also includes protection against certain forms of compelled speech.

This dimension is important to the American constitutional tradition. Freedom of speech does not mean only that the government cannot stop a person from speaking. It can also mean that government cannot compel a person to convey a particular message. Protection against compelled speech makes some equality policies harder to apply when they require not only access to a service but also the production of expressive content.

Precision is essential here. 303 Creative does not mean that every anti-discrimination regulation violates the First Amendment. The case specifically concerned expressive activity and compelled expression. Turning the decision into a general rule that freedom always outranks equality would be just as misleading as concluding from Brown that every individual liberty must yield to an equality policy.

Taken together, the two cases show that real rights can become reciprocal constraints. In Brown, an equality requirement limits the autonomy of local institutions maintaining public segregation. In 303 Creative, a constitutional freedom limits the application of an equality policy in a particular expressive setting.

The contrast also shows why the abstract opposition between "freedom" and "equality" is often insufficient. The freedom at stake is not the same in every case. Neither is the equality. We have to ask: freedom from what? Equality of what? Between whom? Through which institution? At what level of government? Overly general language either manufactures artificial conflicts or conceals real ones.

Legal equality, for example, does not necessarily require material equality. A society can strongly protect equal protection of the laws while accepting large differences in income or wealth. Conversely, a policy aimed at reducing material inequality may restrict some economic freedoms without directly affecting freedom of speech. Tradeoffs cannot simply be transferred from one domain to another as if the same words always described the same conflict.

The same is true of negative liberty and the material capacity to act. Protection against government interference does not necessarily mean having the resources needed to exercise every possible option. A person may be legally free to start a business without having the necessary capital. A person may be free to speak without having the same audience as someone else. These differences do not negate legal freedom; they simply show that protection from coercion and effective capacity are not the same thing.

Chapter 3 will return to this distinction when it examines work, property, and merit. Here it serves only to prevent a definitional error. If everything that effectively enables action is called "freedom," the concept quickly absorbs questions of resources and equality. If freedom is reduced entirely to noninterference, on the other hand, broader legal and political uses disappear. The value is therefore strong but plural.

Brown and 303 Creative finally show something more general: a value becomes genuinely operative when it can impose an institutional cost. Equality can force a local government to abandon an arrangement it defended. Freedom can prevent a state from fully enforcing a policy it considers legitimate. In both cases, the principle does more than receive public praise; it removes an option from a public actor.

It is this capacity to constrain that makes values serious—and makes their conflicts unavoidable.

3. Government by the People: The Majority Is Not Sovereign

“We the People” gives the people a foundational place in American legitimacy. But the people never govern as a single, instantaneous will.

The Constitution distributes authority. Citizens elect representatives. Institutions possess different powers. States retain important authority. Procedures govern the making of law. Amendments require supermajorities. Rights limit some decisions. Courts review certain acts for conformity with higher law. American democracy is therefore mediated from the beginning.

This mediation creates a paradox. If the people are sovereign, why can a present majority not simply decide? Because the constitutional order assumes that a temporary majority does not exhaust legitimate political will. “The people” are also the people who gave themselves rules that are harder to change, rights that sometimes protect minorities, and a structure in which institutions constrain one another.

Moore v. Harper makes this concrete. The case concerned the way the federal Constitution assigns certain responsibilities to state legislatures in federal elections. A strong reading of that clause could have insulated a state legislature from review under its own state constitution. The Supreme Court rejected that interpretation. An elected legislature remains embedded within a broader constitutional order.

The point is not that judges are somehow “more democratic” than elected officials. A court does not gain superior legitimacy simply because it limits a majority. The case shows something else: in the American system, the authority of an elected institution is not equivalent to total popular sovereignty. Democracy also includes the rules that determine what that institution may do.

This idea echoes Brown. A local majority or elected institution may be limited by a constitutional requirement. But that limit should not automatically be celebrated as a victory for democracy. Judicial review raises its own legitimacy question: how far should unelected judges be able to invalidate decisions made by representatives? Constitutionalism protects government by the people against some abuses of majority power, but it can also move decisions farther away from direct popular control.

The tension is not resolved by a formula. It is part of the architecture.

Federalism adds another layer. It distributes power between the federal government and the states. This structure can protect local pluralism, allow experimentation, or bring certain decisions closer to citizens. It can also produce differences in rights across jurisdictions and provide shelter for exclusionary practices. Federalism is therefore not morally univocal.

That reversibility is essential to the method of this book. The same institutional structure can produce opposite normative effects depending on the period, the jurisdiction, and the issue. Local autonomy that protects experimentation in one context may protect exclusion in another. Judgment cannot therefore be attached to institutional form alone. We have to ask what the autonomy actually enables, who benefits from it, who bears its costs, and what opportunities for correction exist at another level of government.

Goodridge v. Department of Public Health provides a necessary counterexample to an exclusively negative view of state autonomy. In 2003, the Massachusetts Supreme Judicial Court held that excluding same-sex couples from civil marriage was incompatible with the state constitution's guarantees. Massachusetts thus became a jurisdiction in which a protection expanded before a uniform national solution emerged.[4]

The case does not prove that federalism produces progress. American history contains many examples in which local or state autonomy protected exclusion. Goodridge shows only that institutional variation can perform opposite functions: preserving a restrictive practice or enabling a protective innovation. Judging federalism solely by one of those uses would therefore be inadequate.

This ambivalence helps explain why American tradeoffs do not follow a simple moral geography. The federal government may expand a right against local resistance, as in enforcement of the Voting Rights Act of 1965. But a state may also move beyond the federal level in recognizing a protection. The point is not to decide once and for all which level is more just. It is to examine what the distribution of authority makes possible in each case.

The Voting Rights Act of 1965 shows especially clearly how government by the people and federalism can conflict. The law prohibited discriminatory voting practices and strengthened federal enforcement of the Fifteenth Amendment. According to the National Archives, by the end of 1965 approximately 250,000 new Black voters had been registered, roughly one-third of them through federal examiners.[5]

The number does not tell the whole story. It does show, however, that a political right can exist in text while remaining far less operative in practice, and that federal intervention can concretely change access to participation. Government by the people therefore consists of more than holding elections; it also depends on who can actually participate in them.

The analysis should stop at that point. The question of who has been recognized as a legitimate member of "the people" belongs to the next chapter. Here, the Voting Rights Act serves a narrower purpose: it shows that American democracy has been capable of expanding access to its own procedures, including by limiting the autonomy of local authorities.

Democracy therefore appears as an operative but complex value. It gives special legitimacy to elected institutions and popular participation. It also requires taking seriously the rules that prevent some actors from monopolizing or closing off that participation. And it accepts constitutional, judicial, and federal mediations that can both protect and complicate the immediate expression of majority will.

Government by the people is therefore not majority rule without limit. It is an order in which majority power is a central source of legitimacy, but that legitimacy remains organized, distributed, and constrained.

4. Three Presumptions, None Sovereign

A first picture of the American promise can now be reconstructed without pretending to simplify it.

Freedom is real because it creates protections enforceable against the state. It can prevent a public institution from censoring expression or, in some situations, from compelling a person to produce a message. Yet it does not mean the absence of all regulation, and its different dimensions can conflict with other freedoms or with equality claims.

Equality is real because it can invalidate public structures and require authorities to change their practices. Brown shows that a local majority is not enough to make public segregation constitutionally acceptable. But equality as protected in American law is not a general promise that material conditions will be identical. Its legal, political, social, and economic forms must remain distinct.

Government by the people is real because political order derives legitimacy from participation, representation, and consent. But the people do not exercise authority as an unlimited majority. Constitution, rights, federalism, procedures, and judicial review mediate that authority. Moore v. Harper reminds us that an elected legislature remains subject to a broader legal order.

These three presumptions can reinforce one another. Political freedom protects the ability to challenge a majority. Equality can make participation more effective. Democratic procedure can protect rights by giving durable legitimacy to their institutionalization. In such cases, the national story can plausibly present them as naturally compatible.

But the cases become more revealing when they diverge.

303 Creative shows that an equality policy can encounter a freedom of speech strong enough to limit its application. Brown shows that an equality requirement can constrain a local decision. Moore shows that an elected institution does not possess unchecked constitutional authority. Goodridge shows that a federal system can provide space for expanding a protection rather than blocking it. The Voting Rights Act shows that federal intervention can make political participation more operative where some local authorities had restricted it[6]

None of these cases establishes a general hierarchy.

We cannot conclude that freedom is superior to equality because it prevails in one compelled-speech conflict. We cannot conclude that equality is superior to democracy because it limits a local majority in Brown. We cannot conclude that judges are more legitimate than elected officials because constitutionalism allows judicial review. Nor can we conclude that federalism is progressive or reactionary by nature.

The more robust formulation is more modest: freedom, equality, and government by the people operate as competing presumptions. Each has real institutional force. Each can impose costs on other actors. None is sovereign in every circumstance.

This conclusion also changes how we read the gap between the promise and the history. The original exclusions remain major facts. They prevent the founding from being narrated as the immediate realization of universal principles. But those exclusions are not enough to reduce the principles themselves to mere ornament. Their force also appears in later uses that constrain institutions, expand rights, and challenge older boundaries of political membership.

We must therefore distinguish the promise from its field of application. A value can be formulated more broadly than the circle of people who actually benefit from it. American history is marked precisely by conflict over that gap: who is a protected "person"? Who is a citizen? Who votes? Who participates? Which rights apply to everyone, and which depend on status?

This chapter has deliberately resisted absorbing that question. Its purpose was simpler: to establish that the promise exists in several real forms and cannot be reduced to a single principle. It also had to show that its components become operative when they generate institutional constraints.

The result is therefore conditional.

The American promise is not the perfect application of freedom, equality, and government by the people. It is the durable existence of three powerful presumptions, embedded in texts and institutions, historically incomplete, repeatedly reinterpreted, and capable of limiting one another.

That formulation deliberately leaves open the more difficult question.

If the promise is broader than its application, who belongs within the circle to which it is actually addressed?

That is the question of the next chapter.

CHAPTER 2 — WHO COUNTS?

The Circle of Equals and Legitimate Members

"We the People" gives the impression of a political subject already constituted. Yet much of American history can be read as a dispute over that pronoun. Who can say "we"? Who fully belongs to the political community? Who is protected by its rights without participating in the same way in its government? Who can enter the circle, and by what procedure? Who can be a legal member while remaining at the edge of some institutions?

The previous chapter showed that freedom, equality, and government by the people are powerful but competing presumptions. We now need to ask a question that comes before their arbitration: to whom do they fully apply?

American law does not draw one single boundary between those who count and those who do not. It layers several statuses. A person may be protected by the laws without being a citizen. A lawful permanent resident may live and work in the United States indefinitely without voting in federal elections. A citizen may not participate in every political institution in the same way depending on where that citizen lives. The electorate forms an even narrower circle: not everyone protected by law participates in choosing public power.

This stratification prevents two opposite simplifications. The first would tell American history as the linear expansion of a once-closed circle that gradually became universal. There have been major expansions, but they have also faced resistance, circumvention, delay, and sometimes revision. The second simplification would treat every boundary of membership as the same form of domination. Yet a racial boundary that constitutionally excludes a group from citizenship does not perform the same function as a residency requirement used to determine which political community elects which representatives.

The moral question therefore cannot simply be: Does a boundary exist? It must be more precise: What does the boundary do? What status does it organize? What justification does it have? Is it proportionate to its function? Who bears its cost? Can it be challenged or crossed?

1. "We the People": A Stratified Circle

The most important distinction may also be the simplest: person, citizen, and voter are not synonyms.

The Fourteenth Amendment writes this distinction directly into constitutional language. Its Citizenship Clause defines persons born or naturalized in the United States and subject to its jurisdiction as citizens of the United States and of the state in which they reside. But the Due Process and Equal Protection Clauses do not speak only of citizens; they protect "persons."

That difference in wording has a real consequence. Full political membership is not a condition of every legal protection.

A noncitizen is therefore not placed outside equality as a matter of law. Constitutional doctrine recognizes that the Equal Protection Clause protects noncitizens who are within a state's jurisdiction, including in situations where immigration status differs. Likewise, some due process protections are not reserved to citizens. The political community can limit access to certain offices or political rights without stripping noncitizens of their status as protected persons.7

The system therefore creates concentric circles rather than one binary boundary.

A lawful permanent resident provides a concrete example. Such a person may live indefinitely in the United States, work there, and receive substantial legal protections. Yet permanent residence does not automatically become citizenship. Nor, as a general rule, does it carry the right to vote in federal elections. Membership is therefore real but partial: the resident lives under the law, participates in society, and possesses many rights without participating in the same way in choosing the national government.

That distinction should not automatically be read as an injustice. Voting is not simply protection against coercion; it is a power to participate in self-government. A political community can therefore maintain that access to this power requires a closer form of membership than access to ordinary legal protections. The counterexample matters. If every difference between person and voter were automatically treated as domination, it would become impossible to explain why most political systems distinguish between those they protect and those who directly participate in governing them.

But a political function is not by itself a sufficient justification. A qualification can serve a real purpose and still be disproportionate, discriminatory, or practically impossible to satisfy. The question "What is this boundary for?" must always be kept separate from the question "Is this boundary legitimate in this form?"

Residency requirements for voting make the distinction visible. A state must determine which voters belong to which electorate. A residency requirement can therefore perform an intelligible administrative and political function. Excessively long duration requirements, however, can become unjustified barriers. Likewise, ballot-access rules may help prevent congestion, confusion, or certain kinds of fraud without giving the state unlimited authority to exclude candidates arbitrarily.

This distinction will matter throughout the chapter. A boundary may be discriminatory, functional, disproportionate, crossable—or several of these at once. Naming the boundary is not enough to judge it.

The American difficulty is also historical: these circles have changed. Some boundaries once presented as natural or constitutional have been overturned. Others were removed from the text and then recreated through procedure. Still others remain organized as institutional passages, such as the movement from permanent residence to citizenship. The political subject is therefore not only stratified; it is historical.

2. Closing the Circle—and Redefining It Constitutionally

Dred Scott v. Sandford, decided in 1857, is one of the clearest examples of a citizenship boundary taking the form of a constitutional definition of the political subject.[8]

The Court excluded Black people descended from enslaved persons from the circle of federal citizenship. The importance of the case lies not only in the injustice of its conclusion. It lies in the way a racial hierarchy was transformed into a legal answer to the question: Who can be a citizen? The exclusion was not merely social or electoral; it reached the very capacity to belong to the political people recognized by the federal order.

The decision shows why all membership boundaries cannot be treated as equivalent. A residency distinction organizes a territorial relationship with an electorate. Dred Scott, by contrast, treated racial ancestry as a boundary of citizenship. Its function was not to define a procedure for crossing from one status to another. It closed the circle to a group defined by an ascribed characteristic.

The Civil War, the Civil Rights Act of 1866, and then the Fourteenth Amendment overturned that construction. The Citizenship Clause of the Fourteenth Amendment states that persons born or naturalized in the United States and subject to its jurisdiction are citizens of the United States and of the state in which they reside. The change was more than a quantitative expansion. Constitutional law redefined the criterion of membership itself.[9]

This reversal is decisive for the method of this book. A definition of the political subject can be presented at one moment as constitutionally valid and later be repudiated by a new constitutional order. The "we" is not given once and for all. Law can redraw it against an earlier definition produced by law itself.

It would still be too simple to treat this as proof of an automatic unfolding of universalism. The Fourteenth Amendment did not erase racial hierarchies, discrimination, or political barriers within a generation. But it changed the framework from which such practices could be challenged. A legal racial boundary of citizenship was overturned; other mechanisms of exclusion could survive or move elsewhere.

The difference between legal reversal and lived transformation matters. A text can redefine the subject of rights without immediately producing a society that conforms to that redefinition. Constitutional expansion is real because it removes a legal possibility that previously existed and creates new guarantees. It remains incomplete because the exercise of those guarantees depends on institutions, procedures, and relations of power.

The Fourteenth Amendment also contains an important safeguard against an overly citizenship-centered reading. The same section that defines citizens also protects "persons." The system therefore did not replace a racial exclusion with a rule under which only citizens count as a matter of law. It distinguishes political membership from personal protection.[10][11]

This distinction helps explain why American universalism is stratified. Protection of persons can extend beyond citizenship; the electorate can be narrower than the citizenry; representation can also vary by territory. None of this should be read as implying different degrees of human worth. The statuses organize different functions of law and government. The moral problem begins when that stratification is used to produce arbitrary, disproportionate, or effectively unchallengeable exclusion.

The path from Dred Scott to the Fourteenth Amendment therefore offers a first trajectory: constitutional closure, war and political conflict, then constitutional redefinition of the citizen. But the history of voting shows that expanding a status does not guarantee effective access to the political power supposedly attached to it.

3. From a Right on Paper to Real Access

The Fifteenth Amendment, ratified in 1870, prohibits denying or abridging citizens' right to vote on account of race, color, or previous condition of servitude. On paper, the racial boundary of suffrage was therefore directly attacked by the Constitution.[12]

Yet a written right can be neutralized without being formally repealed.

In the decades that followed, devices developed to reduce Black political participation: poll taxes, literacy tests, grandfather clauses, white primaries, and other procedures. The mechanism is revealing. It is no longer necessary to write explicitly that a racial group may not vote if one can construct access conditions that produce largely the same result.

The difference has a concrete political cost. A right held only on paper does not protect in the same way as a right that can actually be exercised. When registration, procedure, information, or the presence of federal authority changes who can vote, the issue is no longer merely symbolic. It concerns the ability to turn political preference into participation, and participation into collective power. A person who cannot exercise a recognized right is not in exactly the same position as someone to whom the right has formally been denied, but in practice the consequences can become very close. The analysis must therefore distinguish three levels: recognition of a right, the conditions under which it can be exercised, and the observable effects of that exercise.

This distinction also prevents us from treating every rise in registration or turnout as proof that political equality has been achieved. An institutional mechanism can remove a specific barrier without eliminating every difference in resources, information, confidence, or access. Making a right operative does not mean making all political conditions identical. It means, at a minimum, that public institutions stop allowing a constitutional protection to depend on procedures that neutralize it.

This history forces a distinction between recognition and operativity. A value may be constitutionalized while remaining difficult to access for those it is supposed to protect. The right exists; the infrastructure needed to exercise it is insufficient or actively distorted.

The Voting Rights Act of 1965 addressed that gap. It did not invent the principle that voting could not be denied on racial grounds; that principle already existed. It gave the federal government stronger tools to intervene against practices that had neutralized the right in a number of jurisdictions.[13]

Its immediate impact shows what it means to make a right more operative. According to the National Archives, roughly 250,000 new Black voters were registered by the end of 1965, approximately one-third of them through federal examiners. The figure does not by itself measure political equality. It does show that institutional intervention can concretely transform access to a right that had already been proclaimed.[14]

The case also complicates the relationship between federalism and democracy examined in the previous chapter. State and local authorities can participate in administering elections while preserving obstacles that reduce access for part of the citizenry. Federal intervention can then limit local autonomy in the name of broader political participation. The boundary of "the people" therefore depends not only on constitutional text but on institutional capacity to prevent procedure from becoming an instrument of exclusion.

That protection is not irreversible. In 2013, the Supreme Court invalidated a central element of the old preclearance mechanism under the Voting Rights Act—the federal review required for certain changes in election law. The point here is not to judge the entire subsequent development but to note an important property: the institutional infrastructure that makes a right operative can itself be revised. An institutional gain does not become permanent automatically.

The Nineteenth Amendment offers a second trajectory, different in history but comparable in one specific respect. Ratified in 1920, it prohibits denying or abridging the right to vote on account of sex. It therefore removed a major constitutional boundary within the electorate.[15]

But removing one boundary does not abolish all others.

Black women and other women belonging to minority groups continued to encounter barriers created by racial, territorial, or administrative mechanisms. The Nineteenth Amendment therefore transformed women's political status profoundly without instantly producing effective universal suffrage.

The comparison must remain limited. The racial exclusion embodied in Dred Scott, the obstacles imposed on Black voters after the Fifteenth Amendment, and women's exclusion from the franchise were not historically identical phenomena. Grouping them under the single word "exclusion" would erase differences in function, chronology, and violence. What can be compared is the structure of the passage: a legal or procedural category defines who has access to a protection or a political power; that boundary can then be removed, displaced, or circumvented.

Voting therefore shows that the circle of equals does not expand in a straight line. A constitutional extension can precede real access by decades. Federal protection can make a right more effective and later be partially revised. One boundary can disappear while another continues to operate.

This nonlinearity prevents a simple narrative of uninterrupted progress. It also prevents the opposite story in which nothing ever truly changes. The Fifteenth Amendment, the Nineteenth Amendment, and the Voting Rights Act all altered rules and concrete capacities. The task is to understand that extending a right is never the same as fully embodying it in practice.

The same principle applies to membership itself. Some boundaries are abolished because they become constitutionally unacceptable; others remain organized as passages. Naturalization is the clearest example of the second logic.

4. Entering the Circle—and Remaining at Its Edge

A lawful permanent resident occupies an intermediate position that helps distinguish social membership, legal protection, and political membership.

A permanent resident may live indefinitely in the United States, work, and benefit from many protections. Yet time alone does not convert permanent residence into citizenship. Naturalization is the institutional mechanism through which a resident who meets the legal requirements can move from permanent-resident status to citizenship.

The distinction between an assigned boundary and a crossable boundary should be explicit. In Dred Scott, racial ancestry operated as a legal closure: there was no procedure by which an individual could leave the category that excluded that individual. Naturalization, by contrast, organizes a possible change of status. This does not automatically make the procedure fair, but it changes the structure of the problem. A boundary open under conditions can be evaluated through its criteria, cost, duration, and accessibility. A boundary assigned by birth or race first raises the question of why an unchosen characteristic should determine political membership at all.

The distinction also changes the kind of cost involved. In a crossable boundary, the cost may take the form of waiting, paperwork, proof, uncertainty, and sometimes resources required to complete the process. In a closed boundary, the cost is different: the absence of any path across becomes part of the status itself. Comparing the two is not to say that naturalization is morally equivalent to racial exclusion. It is precisely to explain why they must be judged by different criteria.

The naturalization boundary does not have the same structure as Dred Scott. It is not presented as the natural impossibility of a racial group belonging to the community. It organizes a procedure for entering the political body. That difference in function does not prove that every naturalization requirement is fair or proportionate. It only prevents us from judging such requirements by simple analogy with exclusions of another kind.

The chapter has to remain careful here. Every political community defines conditions of membership. It may require a territorial connection, a procedure, a duration, commitments, or certain formalities. The fact that a boundary is crossable and serves an administrative function does not fully legitimize it. Its conditions can still be assessed for reasonableness, accessibility, and proportionality. But the question is no longer the same as when a group is excluded from a status by birth or ancestry.

The possibility of crossing a boundary is therefore itself a moral variable. A boundary can be rigid, temporary, conditional, or open through a procedure. The cost of crossing also matters: time, money, complexity, uncertainty, risk to an existing status, or difficulty accessing information. A procedure that is legally open can still be more or less accessible in practice.

It would nevertheless be excessive to turn every administrative difficulty into proof that the boundary has no legitimacy. The role of analysis is first to identify what the mechanism is trying to organize, and then to ask whether its costs or exclusions exceed that function.

Puerto Rico further complicates the map because it shows that one can be a U.S. citizen without participating identically in every federal institution.[16]

People born in Puerto Rico are U.S. citizens. Yet residents of the island do not vote in the general presidential election. Puerto Rico has a Resident Commissioner in the House of Representatives, but that official does not have the same final floor vote as a voting representative elected from a state.

Citizenship and political participation therefore do not fully coincide.

Puerto Rico also reveals a distinction between national membership and the institutional location in which political rights are exercised. A Puerto Rican citizen residing in a state can stand in a different relationship to federal elections than a citizen residing on the island. Personal status and territorial status therefore interact. The political circle is not built only around who a person is; it also depends on the institutional architecture in which that person is situated.

This complicates the very idea of equal participation. The inequality here does not take the simple form of a group of citizens explicitly declared inferior by constitutional text. It arises from a territorial organization in which citizens belong to the nation without being placed identically in all of its representative procedures. Moral judgment must therefore focus on the justification of the architecture and its consequences, not on an automatic analogy with the racial or sex-based exclusions discussed above.

This case resembles neither Dred Scott nor the situation of a non-naturalized permanent resident. A Puerto Rican citizen belongs legally to the national community; the asymmetry concerns the relationship between territory, sovereignty, and federal representation. Territorial status therefore creates a boundary inside the circle of citizens itself.

The case makes visible a problem that the simple member/nonmember distinction cannot capture. Two U.S. citizens can possess the same national status while not having exactly the same ability to participate in certain federal institutions depending on where they live. Formal membership therefore does not guarantee complete identity of political participation.

That does not automatically prove that every territorial difference is unjust. Federal institutions rest precisely on differentiated territorial statuses. But the asymmetry requires questions about its justification, duration, contestability, and consequences for those who live under it.

Puerto Rico also shows why "equality" must always be specified. Island residents are citizens, protected by law, and integrated into many national institutions. Yet they do not participate identically in the general presidential election or in the House. Equality of citizenship is therefore not the same thing as institutional identity.

5. A Boundary Can Have a Function Without Being Justified

The cases examined allow us to return to the original question without reducing American history to a single story.

The American circle of equals has genuinely expanded. A racial exclusion from federal citizenship was constitutionally overturned. Under the Fifteenth and Nineteenth Amendments, voting may no longer be denied on the basis of race or sex. The Voting Rights Act made part of that political equality more operative. Constitutional protection of the "person" extends beyond the circle of citizens.

But the circle did not simply become open.

Citizenship remains distinct from residence. Federal voting remains tied to citizenship. Naturalization organizes a passage between some statuses. Citizens' political participation still varies depending on the territorial relationship to federal institutions. Protections can be strengthened, circumvented, or revised.[17]

The most accurate word is therefore stratified.

That stratification is not itself a moral verdict. There are functional reasons to distinguish some categories. Voting organizes the self-government of a defined political community. Residency rules help determine which territory elects which representatives. Naturalization organizes entry into a political community. Federal institutions distinguish states from territories.

But function is not enough to justify any boundary whatsoever. A rule may serve a real purpose and still impose a disproportionate cost. It may be written in neutral language and still produce arbitrary exclusion. It may be theoretically crossable while remaining practically inaccessible. It may also lose its justification as circumstances change.

This is why race, sex, migration, and territory should not be treated as four versions of the same exclusion. Race was used to construct legal hierarchies attached to the person. Sex long defined access to voting and other civil statuses. Migration raises the problem of entry and movement between residence and citizenship. Territory organizes a particular relationship among sovereignty, citizenship, and representation.

Their historical gravity, function, and structure differ. What can be compared is not their moral value as though they were commensurable. What can be compared is the way each draws a boundary of membership, the justification offered for that boundary, and the possibility of challenging it.

This distinction also clarifies the meaning of universalism. A value can be stated universally without being applied identically across every status. Protection of persons can extend beyond citizenship. Political participation can remain narrower. Expansion of the circle can be real without being total.

The moral problem arises when a boundary can no longer be linked proportionately to its function, when it turns a status into an arbitrary hierarchy, or when it imposes a political cost that the system can justify only by pointing back to the existence of the boundary itself.

The possibility of correction must also be considered. Dred Scott was overturned through constitutional transformation. Barriers to voting produced new federal mechanisms. Sex-based boundaries were changed by amendment. Naturalization provides an institutional path. Territorial statuses remain the subject of political dispute. A boundary is therefore not only what it excludes; it is also more or less contestable, reversible, and crossable.

Historical movement is neither automatic nor irreversible. A constitutionalized right can be neutralized in practice. A protection can be strengthened and later reduced. Legal inclusion can precede effective participation by a long period. The widening of the circle is real, but it must always be measured in institutions and actions.

The strongest conclusion is therefore limited.

Person, resident, citizen, voter, and territorial resident do not occupy exactly the same position in the American order. Some differences perform an intelligible political function. Others have been used to produce exclusions that the constitutional order later repudiated. Still others remain contested.

The moral problem is not the existence of every boundary of membership. It is the way that boundary is justified, applied, made proportionate to its function, challenged, and potentially crossed.

Once that distinction is established, another question becomes possible. Belonging to the circle does not yet tell us how resources, rewards, and status should be distributed among those inside it.

In other words: once admitted among those who count, who deserves what?

CHAPTER 3 — WHO DESERVES WHAT?

Work, Markets, Property, and Status

After a storm, when a power line comes down and a neighborhood loses electricity, someone has to go out. Someone has to drive to the site, locate the fault, approach cables that can kill, sometimes work at height in wind, rain, or cold, and restore an infrastructure that almost everyone depends on without thinking about it until it fails. Electrical power-line installers and repairers combine several features we instinctively associate with "hard work": physical effort, danger, technical skill, responsibility, and immediate usefulness. The occupation therefore seems like a good test of an old moral intuition: the more useful burdens a person bears for the community, the more that person ought to be rewarded.

Yet it would be a poor example for the claim that the hardest jobs are necessarily the worst paid. Bureau of Labor Statistics data describe the occupation as physically demanding and exposed to heights and serious electrical hazards; they also report a median annual wage of $92,560 in May 2024, well above the median for all occupations. In 2024, its fatal occupational injury rate was 13.8 per 100,000 full-time-equivalent workers, compared with 3.3 for workers overall. The risk is real, but so is the compensation.

That counterexample matters because it prevents the easiest version of this chapter from being written. It would be simple to oppose workers who "really make the effort" to people who accumulate income and wealth without putting their bodies at risk. That story would contain some accurate observations, but it would not survive much scrutiny. Some difficult jobs are relatively well paid. Some less dangerous jobs require scarce skills, years of training, or enormous responsibility. Some income comes from labor, some from property, and some from a mixture of capital, risk, talent, organization, and circumstance. If we want to ask who "deserves" what, we first have to separate questions that ordinary language tends to merge.

What does a market reward? What does a wage measure? What is the difference between working long hours and doing punishing work? What changes when a person already owns capital? How do inheritance, school, networks, or childhood neighborhood shape a trajectory without determining it? And above all: at what point does an economic outcome become, in the social imagination, a judgment about the value of a person?

The difficulty is that the meritocratic idea is not simply false. Its power comes from the fact that it contains an important truth: effort, learning, discipline, reliability, and skill can genuinely change a life. A society in which none of these qualities could improve a person's trajectory would be difficult to defend. The problem begins when that limited truth is converted into a general equivalence: if effort can contribute to success, then success must prove effort; if skill can be rewarded, then every reward must prove skill; if markets assign different prices, then those prices must reveal the worth of persons.

That is the slide this chapter will test.

1. The Meritocratic Promise—and What Markets Actually Measure

The meritocratic promise first has a moral function. It says that a person's position should not be fixed entirely by birth. Someone who learns, works, takes responsibility, or develops a skill should be able to improve their situation. This promise fits deeply within the American image of upward mobility: the Library of Congress has described the "American Dream" as historically tied to the idea that a person can fulfill a destiny independent of accidental circumstances of birth or position. In more ordinary cultural language, the belief becomes simpler: if you work hard enough, you should be able to move forward.

That promise can be real without every inequality being deserved. This is precisely where the language becomes deceptive. In ordinary conversation, four propositions can follow one another as though they meant the same thing: a person earns a great deal; that person produces something for which there is strong demand; that person is competent; therefore that person morally deserves more than someone who earns less. Yet each step adds a conclusion that was not contained in the previous one.

A market does not ask whether an activity is noble before assigning it a price. It connects supply with solvent demand within a particular institutional framework. That framework is never neutral or external to the market: it includes property law, contracts, regulation, entry requirements for professions, competition rules, possibilities for collective bargaining, the protection or nonprotection of certain risks, and the structure of financing. A worker's wage is therefore produced by several layers of causation. Scarcity of skill matters. Expected productivity matters. Competition among employers matters. Replacement cost matters. Bargaining power matters. Risk sometimes matters. Credentials often matter. Property can matter enormously. But none of these variables is a thermometer of moral merit.

Utility and purchasing power must also be separated. An activity can be socially indispensable while depending on limited funding. Conversely, highly solvent demand can support large incomes for goods or services whose moral usefulness is debatable. That gap does not prove that the market is "wrong." It simply reminds us that price responds to an architecture of demand, scarcity, and purchasing power. If we expect price to rank human contributions directly, we assign it a function it does not have.

Bargaining power should not be treated as a minor distortion either. Two workers capable of producing comparable value can receive different compensation if one can easily change employers, if one person's skills are scarce or credentialed, if one sector is organized, or if the other worker operates in a labor market where workers are plentiful and margins are thin. The wage remains an intelligible economic result. It becomes a bad shortcut when it is treated as a direct index of courage, discipline, or personal worth.

American antitrust law makes this distinction almost explicit. A dominant firm is not unlawful merely because it is dominant. The system can accept that a strong position resulted from a superior product, innovation, or greater efficiency. But it can also prohibit certain methods used to obtain or maintain that position. Economic victory and the legitimacy of the way one wins are therefore already separate questions within the market order itself. The winner does not receive, from the result alone, a general certificate of moral correctness.[18]

That point should not be turned too quickly into an argument against markets. If prices do not measure merit, they can still transmit information that moral judgment cannot easily replace. A very scarce skill may be essential. A business may take a real risk. An entrepreneur may invest years before knowing whether a project will survive. A reliable and highly skilled employee may create more value than a less trained or less consistent worker. Learning a difficult trade can improve a person's chances of higher income. Saying that the market does not measure virtue therefore does not imply that effort and competence have no economic effect.

This is the first serious objection to any simplistic critique of meritocracy: if effort did not matter, why would people who learn, train, persist, and become reliable so often do better? The most reasonable answer is that these things do matter. They change probabilities. But changing a probability is not the same as controlling the outcome by oneself. The moral problem begins when one causal factor becomes the whole story.

Success often reconstructs its own past. Once a trajectory succeeds, it becomes tempting to reread every earlier step as a necessary cause of that success: discipline, long hours, hard decisions, risk-taking. Those elements may indeed have been decisive. But success can make less visible the conditions that were not controlled: market timing, access to financing, health, encounters, location, networks, the applicable law, the ability to survive a loss, or simply the fact that demand existed at the right moment. Conversely, failure can result from a bad decision, but also from an unfavorable environment or a risk that nobody could reasonably have foreseen.

Meritocracy therefore becomes problematic not when it says effort can pay off, but when it removes all other causes from the story. It turns a motivational rule—"your effort can change your trajectory"—into a rule of judgment —"your trajectory reveals what you deserve." Those are different propositions.

2. Working Hard: Burden, Time, Skill, and Pay

The phrase "working hard" makes a simple thing seem to exist. But as soon as one tries to measure it, it breaks into multiple dimensions.

Time is the most visible, but it is not enough. An hour spent in an air-conditioned office with substantial autonomy does not impose the same constraints as an hour carrying loads, driving at night, keeping pace with a machine, breathing contaminants, working on a roof, operating in severe cold, or facing hostile customers. Hardship may come from physical effort, posture, repetition, noise, heat, cold, height, accident risk, time pressure, night work, control over breaks, scheduling uncertainty, or the difficulty of sustaining the same activity for decades.

This plurality matters because hours cannot be used as a moral unit. Two people can both work forty hours and pay very different bodily, mental, or family costs. Two others may work fifty hours, while one largely chooses when to work and the other depends on a variable schedule and compulsory physical presence. Time therefore has a dimension of sovereignty as well as quantity. Being able to move a task, take a break, decline overtime, work remotely, or use paid leave is not equivalent to having to accept every available shift because the month's income depends on it.

Bureau of Labor Statistics data make some of these differences visible without turning them into a moral ranking. Occupational Requirements Survey data show major variation in physical and environmental constraints across occupational groups. Construction and extraction workers are frequently exposed to outdoor work and low postures; workers in installation, maintenance, and repair are far more exposed than average to hazardous contaminants. Other data on occupational control show similarly uneven distributions of fast pace and control over breaks. Work on fatigue by the National Institute for Occupational Safety and Health likewise notes that night work, long hours, nonstandard schedules, heat, and physically or mentally demanding tasks can affect attention, judgment, and safety.[19,20]

Injury and illness rates reinforce the same point. The incidence of nonfatal occupational injuries and illnesses differs sharply by industry: in 2024, agriculture was far above finance and insurance, while other sectors fell at different points between them. These figures do not tell us how much a worker morally "deserves." They show that the costs attached to earning an income are not evenly distributed across occupations.[21]

The line-worker example remains important here. Electrical power-line installation and repair is physically demanding, exposed to electrical danger and work at height, and yet paid substantially above the overall occupational median.22 This means hardship is sometimes reflected in compensation. But it is not reflected by a universal formula. Risk becomes economically valuable when it interacts with scarcity, training, responsibility, institutional organization, and bargaining conditions.

Hardship therefore does not disappear from the moral question. Its status changes. It does not provide an automatic scale of just wages; it forces us to ask who bears the real cost of production.

That cost can be visible: injury, accident, physical wear. It can be diffuse: fatigue, lost sleep, stress, lack of control over schedules. It can be transferred to family members when a job requires permanent availability. It can be delayed when consequences appear only after years. It can be partly compensated through wages, insurance, paid leave, or job security. It can also remain largely with the worker.

Two jobs of equal duration can therefore create very different situations. One may offer high pay, strong autonomy, and the ability to step back from work without immediate loss of security. Another may require presence, pace, exposure, and dependence on current wages. That is not a reason to declare the second worker automatically more "deserving." A physically comfortable activity can require exceptional expertise; an entrepreneur can bear financial risks employees do not; a physician may face less industrial danger while carrying life-and-death responsibility. But this is enough to show that the hour worked is not a unit of moral contribution.

Meritocratic language easily collapses these dimensions because it prefers a simple story: the person who works more receives more. The evidence describes a more composite reality. Some burdens are paid. Some skills are paid. Some risks are paid. Some positions of ownership are paid. Some bargaining advantages are paid. The final result mixes all of these mechanisms.

Moral judgment begins when that mixture is forgotten.

3. The Outcome Begins Before the Work: Wealth, Inheritance, Networks, and Starting Conditions

A wage can at least create the appearance of a direct exchange between present activity and compensation. Wealth makes that reading more difficult.

Income is a flow: what comes in during a period. Wealth is a stock: what has been accumulated, purchased, transferred, retained, and sometimes appreciated over years. The distinction matters because a stock can generate new capacities without corresponding to present labor time. It can finance a business, help buy a home, absorb unemployment, reduce vulnerability to illness, or directly generate investment income.

The 2022 Survey of Consumer Finances shows how asymmetric U.S. wealth distribution is. Median family net worth was $192,900, while average family net worth exceeded $1 million. The gap between mean and median is not a statistical curiosity. It indicates that a relatively small share of families hold very large stocks of wealth that pull the average upward. The threshold for the 90th percentile was roughly $1.938 million.[2]3

Those figures do not tell us how each fortune was created. They therefore cannot allocate guilt or merit. A business can produce wealth after years of work and risk. In 2022, about one in five families owned a privately held business, and the share was much larger among high-income families. Entrepreneurial ownership may reflect innovation, organization, deferred consumption, and real risk-taking. The analysis becomes false if it treats all wealth as income detached from work.

But the reverse is also false. Once accumulated, wealth has dynamics of its own. Property allows the economic past to continue producing effects. An asset can appreciate; a business can distribute income; a paid-off home can reduce future expenses; a portfolio can absorb a shock. Wealth is therefore also a resource of security during unemployment, illness, divorce, or other disruptions. Two people with the same current income can face very different risks depending on the assets they hold.

Inheritance makes the causal structure still more complicated. Receiving wealth is not itself evidence of vice, just as inheriting nothing is not evidence of virtue. But inherited resources change the set of options available: whether a person can study longer, move, wait for a better job, start a company, buy a home, survive an entrepreneurial failure, or endure a period without income. The point is not to blame a person for receiving an advantage. It is to stop treating later outcomes as though those starting differences had no causal force.

The question of merit therefore changes level. It is no longer only: "Does this person work?" It becomes: "What resources did this person possess before we began observing the effort?"

Those resources are not purely financial. Neighborhood, school, information, family networks, and professional contacts also shape trajectories. Census Bureau work on intergenerational mobility and childhood environments shows persistent associations between local conditions and adult earnings. The labor market does not begin the moment two applicants submit résumés. It begins earlier, with skills, information, expectations, and relationships that are distributed unevenly.

Parental connections provide a particularly concrete example. A Census Bureau study published in 2025 found that starting a first job at a parent's employer was associated with about 24 percent higher earnings in that first job, with an advantage still visible three years later. It would be tempting to call this simply favoritism, but the evidence does not support so simple a conclusion. A parent may transmit information, help identify a suitable job, implicitly vouch for reliability, or pass along knowledge of an industry. The observed effect demonstrates an access advantage; it does not tell us what portion of that advantage is unjust.[24]

That is precisely the kind of nuance a theory of merit must accept. Two equally motivated people can enter the market with different networks. Recognizing that difference does not erase the work either person later performs. It simply prevents us from interpreting the final result as if both trajectories began from the same place.

American education can be read as a partial institutional attempt to address this problem. Brown v. Board of Education made legally enforced racial segregation in public schools constitutionally unacceptable. Title I directs federal resources toward areas serving concentrations of children from low-income families. At the same time, San Antonio Independent School District v. Rodriguez makes clear that the federal Constitution does not establish a general right to equal school resources across districts. The institutional order therefore corrects some inequalities of starting conditions without promising to abolish them all.[25]

That is not necessarily incoherent. Meritocracy does not require every person to have exactly the same parents, health, neighborhood, resources, or opportunities. Such equalization would be impossible and, in many dimensions, undesirable. It does require us to stop describing outcomes as though those differences had no causal role.

The strongest objection here is determinism. If wealth, neighborhood, or networks are emphasized too heavily, individual effort can seem to disappear. The evidence does not support that conclusion. Associations and measured effects change probabilities; they do not write an individual destiny. People from disadvantaged backgrounds succeed. Heirs fail. Children from the same neighborhood take different paths. Merit can therefore remain a property of actions and choices. What disappears is only the right to read that merit directly from the final ranking.

Success also creates another effect: interpretive power. Those who succeed often gain more capacity to narrate their own success, fund ideas, hire, invest, gain an audience, and sometimes shape the rules under which the next competition takes place. Here again the American system contains counterweights of its own. Antitrust law can limit a dominant firm. The Constitution limits electoral winners. Collective memory can eventually honor movements that once lost repeatedly. The result is never supposed to be enough, by itself, to establish total legitimacy.

Victory is information. It is not a moral verdict.

4. Saving Merit Without Turning Outcomes Into Moral Verdicts

After all these distinctions, it would be easy to conclude that meritocracy is merely a story used to justify inequality. That would be as simplistic as the view this chapter has been trying to correct.

Effort matters. Discipline matters. Learning matters. Reliability matters. The ability to delay reward can matter. Willingness to take risk can matter. Skill can transform a trajectory in major ways. A society in which these qualities made no difference to a person's chances would struggle to sustain learning, initiative, and responsibility. The meritocratic promise therefore retains a genuine function: it says that starting position should not completely imprison a person, and that actions should be able to affect life outcomes.

But that function becomes credible only if it gives up a perfect equivalence between outcome and merit.

The American market distributes income and position through several mechanisms at once: scarcity, demand, credentials, productivity, ownership, capital, risk, bargaining power, competition, and institutional rules. Added to this are conditions that precede market exchange: family wealth, networks, education, location, health, information, and circumstance. The resulting outcome can itself generate new resources: reputation, capital, security, access to credit, and the ability to take further risks.

An economic trajectory should therefore not be represented as a line—effort, then reward—but as a chain of transformations: starting conditions, access to opportunities, education and networks, type of employment, characteristics of the work, income, wealth accumulation, social status, and finally the possible interpretation of that status as merit. No arrow is automatic. Effort operates at several points. It is simply not alone.

This is where the problem of cost returns. An entrepreneur may live for years with uncertainty that an employee does not bear. A worker may expose the body to a danger the owner does not face. A highly paid executive may bear responsibility or permanent availability. An heir may begin with capital not personally produced. A low-paid employee may perform socially useful work in a sector where bargaining power remains weak. None of these facts, by itself, distributes merit. They do tell us what each person contributes, risks, receives, or can avoid.

A society begins to produce an operative morality when it converts this distribution into judgment. Wealth becomes proof of work. Poverty becomes proof of inaction. Property becomes proof of competence. Physically difficult work becomes a sign of low qualification. Success becomes proof of virtue. Conversely, other narratives can make all wealth evidence of predation and all poverty evidence of injustice suffered. Both shortcuts make the same mistake: they infer moral identity from economic position.

The most defensible form of meritocracy is more modest. It does not say, "everyone has exactly what they deserve." It says instead that a society should make effort, learning, and competence sufficiently capable of improving a trajectory that starting position does not become destiny. This is a normative claim; statistics cannot prove it. But data can test some of its conditions: does mobility exist? Are access points sharply unequal? Are some burdens borne without compensation? Does ownership or inheritance open and close possibilities? Does the market sometimes reward skill and risk? Do institutions correct some acquired advantages?

This reconstruction also preserves the counterexample from the beginning. Electrical line workers are not an embarrassing anomaly to hide in order to defend a critique of meritocracy. They show why serious analysis must accept that markets can sometimes compensate substantial hardship. Their relatively high pay is compatible with the argument precisely because the argument does not claim that the hardest jobs are always underpaid. Their case shows that risk can become economically costly when combined with skill, scarcity, responsibility, and sectoral organization.

But their case also blocks the reverse inference. We cannot look at their wage and conclude that the market has correctly "calculated" their merit. The number does not tell us the moral value of risk, social utility, training, or bodily wear. It tells us only that, in this market and under these rules, that combination of skills and constraints receives that price.

The chapter therefore ends neither in a condemnation of wealth nor in a glorification of hardship. It does not claim that rich people do not work. It does not claim that poor people work harder. It does not claim that inheritance explains every fortune. It does not claim that starting conditions completely determine adult life. Nor does it claim that markets somehow "intend" to reward injustice. Those statements go beyond the evidence.

The stronger result is more limited.

Work matters. Hardship sometimes matters. Skill matters. Risk matters. Wealth matters. Education, networks, and starting conditions matter. Markets combine these variables through mechanisms that can be efficient without becoming instruments of moral measurement.

Meritocracy therefore becomes misleading less when it says effort can change a life than when it erases this plurality of causes and turns wealth and status into evidence of what a person deserves.

We can respect effort without sanctifying outcomes. We can recognize entrepreneurial risk without forgetting bodily risk. We can acknowledge the advantage of inheritance without declaring the heir guilty for receiving it. We can recognize the role of networks without denying competence. We can recognize that markets usefully reward some forms of scarcity without asking the price system to answer a question it was never designed to answer.

The conclusion is less dramatic than an indictment but more demanding: merit cannot be read directly from economic outcomes. That leaves another question. If economic outcomes cannot be treated as a sufficient measure of merit, how far should individual responsibility be expected to carry the costs of life alone—and when should family, employer, or community begin to share the burden?

CHAPTER 4 — WHO SHOULD CARE FOR WHOM?

Responsibility, Family, and Solidarity

An employee learns that a parent is seriously ill. Appointments have to be organized. Someone has to accompany the parent, monitor the situation, and sometimes help with washing, eating, or simply make sure the person is not left alone. At first the problem appears to be private and familial: someone you love needs care. But it almost immediately becomes professional and economic. Can you leave work? For how long? Will the job still be there? Will income continue? Will health coverage remain available? And if the absence lasts longer than expected, who takes over?

The question seems intimate, but it opens a collective problem. Caring for another person almost always creates a cost: time, income, energy, sometimes career loss or greater dependence on other family members. Once a society decides that a need deserves protection, it still has to decide who will bear that cost.

Federal law offers a partial answer through the Family and Medical Leave Act. For eligible employees and qualifying family or medical situations, the FMLA can protect up to twelve weeks of leave. But that leave may be unpaid. The legal order therefore recognizes that care or illness can legitimately interrupt work without automatically deciding that lost income must be replaced by the public.[2]6

This also helps explain why a declared protection and the cost actually borne are not the same thing. A policy can say that it protects family life while leaving most of the economic cost of care with the household. Another policy can shift part of the lost income to an insurer or a public program. Both recognize the same event as legitimate, but they do not give that recognition the same practical force.

Paid leave is also distributed unevenly. Bureau of Labor Statistics data show that access to paid sick leave and paid vacation rises sharply with compensation and varies across occupational groups. The legal right to step away from work therefore meets a second filter: the conditions attached to the job itself. Two employees with similar legal status may have very different margins of safety before any public program enters the picture.

This does not mean that the only coherent solution would be to socialize the entire cost of care. It means that when law protects a choice without financing its exercise, an important share of responsibility remains with the household. The moral question becomes visible: how much private cost is a public recognition of need willing to leave in place?

The difference is larger than it first appears. A right can exist without everyone possessing the same material ability to use it. Two people can both be legally entitled to take leave and yet face radically different situations if one has savings, a second income in the household, or paid time off while the other depends on every paycheck.

The problem of care therefore cannot be reduced to an opposition between the individual and the state. In the United States, obligations are distributed among the individual, family, employer, insurer, nonprofit organizations, state governments, and the federal government. These actors do not intervene for the same reasons. Prior contribution, age, disability, low income, employment, family relationship, charitable choice, or vulnerability can open different protections.

The chapter's question is therefore more precise: at what point does a need, risk, or dependency cease to be treated as a private burden and become an enforceable obligation for others?

1. Having a Right Is Not Always the Same as Being Able to Use It

The FMLA is a useful starting point because it separates several things that discussions of solidarity often merge. First, a person may have a legal right to leave. Second, the job may be protected during that leave. Third, income may not be protected. Those three levels are not equivalent.

That distinction blocks two easy conclusions. It would be excessive to say that an employee is not free to care for a relative merely because the leave is unpaid: job protection creates a real possibility that might otherwise carry the risk of dismissal. But it would be equally misleading to say the problem has been solved because the absence is legally permitted. Exercising the right still depends on available resources.

The cost of care therefore becomes distributive. If the employer does not continue wages during the absence, the household bears most of the immediate cost. If a public policy replaces part of that income, some of the cost shifts to insurance or a collective fund. If the family provides care without reducing formal work, the cost may appear instead as time, fatigue, or less visible inequalities within the household.

This is why legal protection and practical capacity have to remain distinct. The first removes a threat: losing a job merely because a protected absence was taken. The second depends on a broader set of resources. That difference does not cancel the right. It describes what the right does not do.

The employer already appears here as a social institution. It does not provide wages alone. In the American system, employment can be a point of access to health insurance, paid leave, retirement benefits, and other forms of protection. Work becomes a junction where economic autonomy and social protection meet.

This architecture has an intelligible logic. It links part of social protection to participation in the labor market. A person who works may receive more than immediate pay: coverage, rights, and benefits financed in part by the employer. Bureau of Labor Statistics compensation data treat employer-paid health insurance as part of the cost of compensation, which is a reminder that these protections are not external to the economy of work.

But the same architecture creates a particular vulnerability. Losing a job can mean losing income and some protections attached to employment at the same time. The labor market therefore distributes not only money but part of institutional security as well.

That role complicates the standard opposition between private and public. Employer-linked insurance may be privately organized, but it operates within law, tax policy, and a wider system in which public programs intervene when employment-based protection is insufficient. The employer is not the state, but neither is it simply an isolated market actor with no social-protection function.

Family occupies a comparable but distinct position. It is valued as a place of responsibility, care, and commitment. Law recognizes some family relationships and sometimes protects time devoted to relatives. But it does not automatically transfer the cost of every family obligation to the public.

The FMLA captures that boundary. It says, in effect, that a family or medical event can justify an absence without allowing the employer simply to treat that absence as job abandonment. But it often leaves the household to finance the absence. Society recognizes care as legitimate without necessarily turning it into guaranteed income.

This compromise is neither the absence of solidarity nor its full realization. It distributes functions: law protects the job; the family provides some care; the household may absorb part of the cost; the employer retains certain duties; other public programs may intervene if the circumstances satisfy their criteria.

That plurality is already enough to reject the idea that American individualism simply means everyone for themselves. Institutions show something more complex. Personal autonomy remains important, but it coexists with numerous forms of collective protection. The question is not whether solidarity exists. It is what activates it, in what form, and under what justification.

2. Contribution, Status, and Need: Different Reasons to Help

Social Security Disability Insurance offers a first logic: protection can be justified by prior contribution.[27]

Eligibility for SSDI does not depend only on economic hardship. The program uses a definition of disability and requires prior work in employment covered by Social Security. Protection therefore combines a lasting loss of capacity with prior participation in the system.

That combination changes the moral meaning of the payment. A benefit connected to previous contributions can be experienced as insurance to which a person acquired a claim rather than as assistance granted solely because of present need. Historical Social Security materials have repeatedly emphasized the language of an earned right: a protection linked to work and prior contribution.

This does not mean that contribution always makes a protection legitimate. It means that contribution is one of the strongest grammars of American solidarity. It allows risk to be pooled while preserving a visible place for personal responsibility: the person worked and contributed, and then an event reduced the ability to continue.

SSDI also supplies an important counterexample to the idea that assistance necessarily creates dependence. Return-to-work mechanisms allow beneficiaries to test work without immediately losing all protection. The system can therefore be designed not as a permanent alternative to autonomy but as a condition that makes renewed autonomy safer to attempt.

The logic is straightforward. If returning to work immediately means losing every protection, the person may face a severe risk: fail in the attempt and end up without employment and without the safety net. Temporarily preserving part of the protection reduces that risk. Assistance can then facilitate responsibility rather than replace it.

This matters because the word autonomy can describe two different strategies. One approach tries to make a person independent by withdrawing protection quickly, on the theory that stronger pressure will produce a return to activity. Another tries to make autonomy practicable by reducing the cost of trying. Both appeal to responsibility, but they distribute the risk of failure differently.

Medicaid rests on another justification. Prior work contribution is not the central condition. The program covers, among others, low-income people and several categories treated as particularly vulnerable, under rules that vary by state and eligibility category.28 Need, income, and status can therefore make a private health risk into a public obligation without reproducing the contributory logic of SSDI.

Medicare provides a third logic. Age sixty-five is its principal point of entry, alongside certain routes connected to disability and serious illness. Protection is not organized around an individualized poverty test at the moment most people become eligible. Status is sufficient to move part of medical risk from the private to the collective level.

Aging shows why. It is predictable at the population level, while the health costs attached to it remain highly variable for individuals. Aging is neither a fault nor an ordinary choice. Pooling part of that risk therefore does not require denying personal responsibility. It means judging that one form of vulnerability exceeds what it is reasonable to require each person to bear alone.

These programs reveal several justifications rather than one. SSDI combines contribution and loss of capacity. Medicaid gives greater weight to need, income, and specified forms of vulnerability. Medicare uses age and some health statuses to pool a risk. All are public, but they tell different moral stories.

That is an important correction to abstract debates about the size of government. Two publicly financed or administered programs can rest on very different ideas of what the community owes an individual. The question is not only how much government spends. It is why the right opens, whom it protects, and what condition turns a private difficulty into a collective obligation.

3. Family, Employer, and Charity: Real but Unequal Forms of Solidarity

The plurality does not end with public programs.

Family is probably the oldest and most intuitive form of solidarity. A person helps a child, spouse, or aging parent because the relationship itself creates a responsibility. That obligation is not necessarily calculated through prior financial contribution or an income test. It rests on a bond.

The problem appears when that bond produces costs the family cannot absorb alone. Long-term care, illness, disability, or loss of autonomy can require large amounts of time and money. A family can fully recognize a moral duty while lacking the material capacity to carry it by itself. It is precisely in the gap between declared obligation and actual capacity that outside institutions become important.

The FMLA intervenes at one level, insurance at another, Medicare or Medicaid at another. Family solidarity is therefore not simply replaced by the state. It is often supplemented, structured, or made possible by other mechanisms.

This also explains why the idea of a self-sufficient family can be misleading. A household's autonomy often depends on protections it does not produce itself: labor law, insurance, health infrastructure, public programs, and employment-linked benefits. The family may remain the concrete place where care occurs while relying heavily on institutions outside the household.

The employer performs a different function. The employment relationship is not based on kinship or general vulnerability. It arises from work. Yet because health insurance and other benefits may be tied to employment, the firm becomes a de facto distributor of social protection.

That role is itself distributed unequally. Employment benefits vary with sector, skill, pay level, and occupational position. Workers with greater economic security are often also more likely to have paid leave and additional protections. A lower-paid worker may encounter the same care need with less savings and fewer protections attached to the job.

This overlap matters because it can magnify a shock. A family illness or disability does not arrive on neutral ground. It encounters a preexisting structure of wages, insurance, leave, and wealth. The same dependency can therefore produce different costs depending on the starting position. Recognizing that fact does not imply that every difference must be abolished. It means that the capacity to absorb risk cannot be treated as evenly distributed.

The inequality is not evidence that no protection works. It shows that access runs through several gates. A worker with a generous employer plan is not situated like a worker whose job provides few benefits, even if both live under the same general legal order.

Charity adds another form of solidarity. Federal tax law recognizes qualifying charitable, religious, educational, and scientific organizations and, under specified conditions, allows deductions for contributions to qualified organizations. The state therefore does not merely tolerate voluntary solidarity; it provides a legal and fiscal infrastructure for it.

That form preserves a large place for choice. Donors decide whether to contribute, which organizations to support, and often which cause to prioritize. Solidarity remains highly compatible with individual autonomy.

The model can be flexible, local, and inventive. It can respond to needs that standardized public programs identify poorly. It can mobilize communities, create specialized institutions, and experiment with new responses.

But it does not perform the same function as a social right.

Programs such as Medicare, Medicaid, or Social Security have to respond to massive, long-term, and predictable risks at the collective level. They need continuity and relatively stable eligibility rules. Philanthropy depends more directly on the decision to give, on donor priorities, and on the ability of organizations to attract resources.

Treating the two as interchangeable alternatives would therefore be misleading. Voluntary charity preserves more control for the donor. An enforceable social right transfers more control to an eligibility rule and to the beneficiary who can claim protection under it. These forms of solidarity have different relationships to autonomy.

There is a difference here in sovereignty over aid. In philanthropy, the donor retains an important share of power: whether to give, where to give, and when to change priorities. Under an enforceable right, the beneficiary does not have to persuade a particular donor that the situation deserves generosity. The beneficiary has to satisfy criteria defined by rule. The decision shifts from the personal choice of the giver toward an institution that recognizes a claim.

This helps explain how a society can value both charity and social rights without treating them as substitutes. Charity preserves more freedom for the giver. A right stabilizes the position of the recipient. Each therefore protects a different autonomy. The conflict is not simply generosity versus bureaucracy; it is about who controls resources intended for care.

The difference becomes clearest when donations fall. A charitable organization may reduce its activity because resources disappear. A public right creates an institutional obligation that does not depend to the same degree on the immediate preferences of a particular donor. The price is collective financing and collective rules.

4. Responsibility, Bad Luck, and Second Chances

Who actually pays?

National health expenditure accounts make the circulation of costs especially visible. In 2024, health spending was financed through several major channels rather than one dominant payer. Federal government, households, private businesses, and state and local governments all carried substantial shares. The American health system therefore looks less like a simple choice between public financing and private financing than like a combination of flows that converge at the moment care is delivered.[29]

This structure complicates responsibility as well. An insurance premium paid by an employer remains an economic cost attached to employment. A direct household payment is immediately visible to the person who bears it. A public program spreads financing through collective revenues. These mechanisms are neither morally nor economically identical, but all shift risk across time and across actors. Following only the person who writes the final check is not enough; one has to reconstruct who contributed before the need arose.

The 2024 distribution makes the plurality concrete: roughly 31 percent of national health spending came from the federal government, 28 percent from households, 18 percent from private businesses, and 16 percent from state and local governments, with the remainder coming from other private sources. These categories are not separate worlds. A household can pay taxes, insurance premiums, and out-of-pocket costs; an employer can help finance coverage; public programs can absorb another portion of the risk.

That distribution makes slogans almost useless. “The government pays” hides the variety of revenues and transfers. “Everyone pays for themselves” ignores insurance, public pooling, and employer contributions. The burden circulates.

Risk therefore has to be followed through time. Who pays before it materializes? Who contributes to an insurance system or public program? Who pays when illness, disability, or dependency occurs? Who finances time away from work for care? Who absorbs the failure of a return-to-work attempt? Who takes responsibility for debt that has become impossible to sustain?

The law does not answer these questions in a single way because it distinguishes among different moral situations.

Fault, choice, risk, and vulnerability are not treated as equivalent. A person who knowingly chooses a risky activity may be assigned a different responsibility from someone who experiences a nonchosen disability. Someone who contributed to social insurance may make a claim under a different logic from someone receiving assistance based on need. A family may be treated as the first site of care without being expected to bear every cost alone.

Causal control cannot, however, become a formula that decides everything. Many situations mix choice and constraint. Illness can be influenced by behavior without being fully controllable. Debt can result from a risky decision and an external shock at the same time. Disability can arise in a career in which a person accepted certain risks without being able to predict their realization. Responsibility therefore becomes gradual rather than binary. The greater the ability to know, avoid, or distribute a risk, the stronger the argument for personal responsibility may become—but that still has to be considered alongside the scale of harm, the resources available, and the practical possibility of starting again.

Even that gradation does not decide the matter by itself. High causal control may strengthen the argument for leaving more of a cost with the individual without answering how much cost should remain there. Low causal control may justify broader pooling without eliminating all eligibility rules. Causal control is therefore one variable among others, to be combined with contribution, vulnerability, resources, and the possibility of a second chance.

American bankruptcy law supplies a strong counterexample to the idea that responsibility always requires a person to bear every consequence indefinitely. The fresh-start principle accepts that debts are real, that obligations exist, and that assets may be liquidated or debts reorganized, while still allowing a debtor eventually to begin again.

A second chance does not erase responsibility. It limits its duration.

That distinction matters. If every consequence had to be carried until complete exhaustion, responsibility could easily become permanent condemnation. Bankruptcy law instead recognizes that, beyond some point, renewed economic participation may be preferable to keeping an obligation without horizon.

The same logic appears in a different form in SSDI return-to-work rules. The system can permit an attempt at renewed activity without immediate loss of every protection. Again, responsibility is not denied. The cost of testing autonomy is reduced.

These counterexamples correct an overly rigid picture of American morality. Individual responsibility is a strong value, but it does not imply that everyone must personally and permanently bear every consequence connected to a situation. The system distinguishes what was chosen, what was suffered, what was contributed, what can reasonably be corrected, and what exceeds individual capacity.

That does not create an unlimited right to protection from all consequences. Bankruptcy imposes costs on creditors and operates under rules. Social insurance has criteria. Medicaid and Medicare define eligibility. The FMLA has conditions. Each mechanism draws a boundary between private burden and collective obligation.

The real moral question is therefore the location of that boundary.

A protection may increase one person's security by shifting more cost to others. A strong requirement of personal responsibility may preserve taxpayer or employer autonomy while leaving more risk with the affected household. Assistance based on vulnerability may protect those with the least control over their situation while still requiring a definition of who belongs in that category.

No option is costless. But the costs are not commensurable in a single sum. Lost income, health risk, taxes, insurance premiums, caregiving time, dependence, and debt are not the same thing. Adding them together would conceal the values that structure them.

American solidarity therefore appears less as a single principle than as a series of conditional tradeoffs. Prior contribution can create an earned claim. Need can be sufficient in some cases. Age or disability can shift risk toward collective insurance. Employment can open protections. Family can create a duty of care. Philanthropy can support assistance while preserving donor choice. Bankruptcy can limit the duration of the consequences of failure.

What unites these mechanisms is not a simple opposition between individualism and solidarity. It is a search for a justification strong enough to turn one person's need into an obligation for others.

That transformation depends on several questions. Did the person contribute? How much control did the person have over the cause of the situation? Does the person belong to a status the system treats as particularly vulnerable? Can family or employer reasonably absorb the cost? Is the risk large or predictable enough to be pooled? Does forcing the person to bear every consequence still promote responsibility, or does it destroy the possibility of starting again?

There is therefore no single American boundary between the private and the collective. There are several boundaries, drawn differently according to what the system treats as chosen, suffered, earned, owed, or simply impossible for an individual to carry alone.

The chapter's verdict can remain limited.

Individual responsibility and solidarity are both operative values. They do not cancel each other. They combine according to causation, contribution, status, vulnerability, and real capacity to bear a cost.

The next question concerns a stronger form of intervention. It is no longer only who should pay or help, but who may coerce another person, punish them, or impose risk in the name of collective order.

CHAPTER 5 — WHO MAY COERCE, PUNISH, OR DEFEND THEMSELVES?

Force, Legitimacy, and the Distribution of Risk

On March 7, 1965, demonstrators left Selma, Alabama, to march toward Montgomery. Their objective was political: to make effective a voting right whose legal existence still did not guarantee its exercise. As they approached the Edmund Pettus Bridge, they encountered law enforcement. The scene did not simply pit order against disorder. The marchers were challenging an order they believed had failed to protect a fundamental political right.[30]

Bloody Sunday is a useful place to begin because it destroys a dangerous assumption: public force is not legitimate merely because it is public.

Police departments, prisons, courts, and armies may receive legal authority to coerce. That authorization distinguishes their actions from ordinary private violence. But it does not convert every act of coercion into legitimate protection. We still have to ask against whom the force is used, in response to what threat, through what procedure, with what degree of proportionality, under what oversight, and with what risk of error.

The complete absence of coercion is not a solution either. A society unable to stop an attacker, protect a victim, enforce some judgments, or restrain a dangerous person would simply leave more room for private force. The moral question is therefore not how to abolish all coercion. It is how to distinguish justified restraint from violence that merely carries the appearance of legality.

That question runs through very different situations. A police officer may use immediate force against a threat. A court may impose punishment after conviction. A person who has not been convicted may be detained to prevent a serious danger. An individual may invoke self-defense and a constitutional right connected to firearms. A protester may violate a rule judged unjust and still accept the possibility of sanction. These are not morally equivalent phenomena. They share only one structure: each redistributes risk from one actor to another.

This chapter follows that distribution. It does not assume that security always outweighs liberty, or that liberty always outweighs security. It asks instead under what conditions a society accepts that an individual, an institution, or the state may impose a loss of liberty, physical danger, or punishment on another person.

1. When Order and Legitimacy Come Apart

Selma reminds us that an institution can possess lawful authority without every use of that authority being legitimate. Once stated, the distinction seems obvious. In practice, it is essential.

Order can be necessary. A demonstration can block a roadway, interrupt traffic, create crowd-control problems, or conflict with other uses of public space. Government does not lose all power to regulate simply because political expression is protected. But invoking public order is not enough to justify every intervention.

The First Amendment makes this tension visible. In traditional public forums, authorities may impose certain content-neutral time, place, and manner restrictions when they serve a legitimate governmental interest and leave meaningful channels for expression. A restriction is therefore not automatically a suppression of liberty[31]

That counterexample matters. If every regulation of a demonstration were treated as oppression, it would become impossible to organize the coexistence of several freedoms in the same space. Traffic, safety, access to buildings, and the rights of other users may also matter. The question is not whether any constraint exists. It is whether the constraint organizes the exercise of a right or empties that right of substance.

Selma shows the second possibility. When public force is used against people seeking effective access to a political right, and the language of order becomes an obstacle to participation itself, the function of coercion changes. It no longer merely protects a shared space. It protects a relationship of power.

A second issue is visibility. In August 2025, the FBI reported that its national use-of-force collection, based on June 2025 data, covered 78 percent of the law-enforcement population—below the 80 percent threshold required for publication of national incident counts.[32] That limitation has to be interpreted carefully. The absence of a complete national statistic proves neither that abuse is common nor that it is rare. It only limits what can be claimed with confidence.

But the incompleteness of the data is institutionally meaningful. A democracy that delegates the power to coerce must also create the means to observe that coercion. Recording, transparency, comparison, and public oversight are not administrative details detached from legitimacy. They are part of the conditions under which force exercised in the public name can be evaluated.

An institution able to impose extreme physical costs while remaining poorly observable creates a specific problem. That does not prove that each use of force is abusive. It means society has fewer tools for distinguishing justified uses from unjustified ones.

The first condition of legitimacy therefore appears in negative form: no actor receives a permanent moral entitlement to force merely because the law sometimes authorizes its use.

2. Police Use of Force: Threat, Timing, and Proportion

American constitutional doctrine on police force helps clarify what conditional legitimacy means.

Tennessee v. Garner addressed lethal force against a fleeing suspect. The decision limited the idea that a person may be killed simply because that person is trying to escape arrest. Suspicion and flight do not automatically make death a reasonable response. Status alone is not enough; threat matters.

Graham v. Connor then established an objective reasonableness standard tied to the circumstances confronting the officer. The inquiry does not rest only on a theory about the officer's inner motives. It asks what could reasonably be perceived in the situation.

That protects two requirements that can pull in opposite directions. On one side, hindsight cannot demand the perfection of an observer who already knows how the encounter ended. A later review may have time, video, testimony, and information the officer did not possess at the moment of decision. A rule that ignored this asymmetry would turn every mistake made under pressure into automatic proof of illegitimacy.

On the other side, recognizing that pressure does not make the officer's perception unquestionable. Reasonableness remains a standard. The claimed threat, the severity of the circumstances, and the proportionality of the response can still be examined.

Barnes v. Felix, decided in 2025, reinforced this idea by rejecting an analysis limited to the precise instant in which force was used. The relevant totality of the circumstances must be considered.[33]

That matters morally because it prevents an artificially fragmented narrative. If we look only at the second in which an officer fires, the threat may appear detached from everything that preceded it. Looking at the whole sequence can reveal how the encounter developed, what alternatives existed, what earlier decisions helped create the situation, and whether the final response was proportionate to the danger.

This does not mean that an officer loses the ability to respond to a genuine threat because earlier choices might have been better. A situation can become dangerous even after mistakes. But those mistakes do not necessarily disappear from the broader judgment of legitimacy.

The distinction between immediate threat and total circumstances therefore blocks two caricatures. One would judge force solely from the outcome: someone was injured or killed, therefore the force was unjustified. The other would isolate the final instant: the officer perceived danger, therefore everything that came before becomes irrelevant. Legitimacy lies between those simplifications.

Proportionality connects threat to irreversibility. Brief restraint, arrest, a less-lethal weapon, and a fatal shot do not impose the same kind of cost. The more a response makes later correction impossible, the stronger the justification must be.

This is not a mathematical formula. There is no score in which a quantity of threat automatically permits a fixed quantity of violence. The assessment remains qualitative: nature and imminence of the threat, alternatives, status of the person, information available, and foreseeable consequences.

Status never decides the question by itself. A suspect is not a convicted person. A fleeing person is not automatically a lethal threat. An armed person is not necessarily attacking. Conversely, a person who has not been convicted may still present an immediate danger strong enough to justify restraint.

Procedure also matters after the event. If police possess exceptional coercive power, the ability to review its use, document what happened, and challenge an intervention becomes part of the system's legitimacy. Public force is therefore conditioned not only by threat but by accountability.

3. Punish, Contain, Rebuild

Punishment introduces another form of coercion. Here the situation changes because guilt has been established through a legal process. But guilt still does not answer every question. It may justify the imposition of punishment without deciding what punishment is for.

Retribution looks backward to the act and seeks a proportionate response to wrongdoing. Incapacitation looks more toward future risk and the protection of others. Deterrence uses punishment as a signal to the convicted person or to others. Rehabilitation treats the offender as someone who may eventually return to society and asks whether part of the sentence should prepare for that possibility.

These purposes can converge, but they can also conflict. A long sentence may satisfy retributive or incapacitative aims while weakening the prospects of reintegration. A system focused strongly on rehabilitation may appear insufficient in light of grave crimes or serious danger to potential victims. The word justice alone does not settle those conflicts.

The First Step Act of 2018 shows that rehabilitation has an institutional place in the federal system. It provides for risk assessments, programming, and time credits linked to certain activities. Federal punishment is therefore not organized solely as suffering imposed in response to wrongdoing.

That is a real counterexample to a purely retributive interpretation of American punishment. It does not prove that rehabilitation is the dominant value or that programs work uniformly.

The available evidence requires caution. In 2026, the Government Accountability Office reported that, according to Bureau of Prisons data, roughly 45 percent of people released from federal prison were rearrested or returned to federal prison within three years. The audit also identified shortcomings in implementation of required risk assessments[34]

It would be improper to use that number as proof that rehabilitation "does not work." Recidivism has many causes, and an aggregate rate cannot isolate the effect of one program. The figure is sufficient only to reject another simplification: writing rehabilitation into law does not guarantee that rehabilitation is uniformly achieved.

Rehabilitation is therefore an operative value without being an assured capacity.

Dignity sets another limit. The Eighth Amendment prohibits cruel and unusual punishments. A conviction does not turn a person into an object over which the state possesses unlimited power. Punishment may remove liberty and, under current law, may in some circumstances still include capital punishment. But guilt does not erase every constitutional protection.

The distinction is fundamental: recognizing that an act may deserve severe punishment does not mean every suffering inflicted on the offender becomes legitimate. Vengeance and justice do not become identical merely because conviction has occurred.

Pretrial detention shows a different logic. Many people held in local jails have not yet been convicted.[35] Their confinement cannot be justified as punishment for guilt already established.

United States v. Salerno nevertheless recognizes that, in serious cases, a person may be detained before trial when a court concludes that no release conditions can reasonably protect others or the community. The justification is risk, not punishment[36]

That changes the reason for confinement, not the physical cost. A detained person loses liberty, may lose employment, may be separated from family, and may face greater difficulty preparing a defense.

The conflict is direct. Release a person who truly presents a grave danger, and the risk is shifted toward possible victims. Detain a person who could safely have awaited trial outside custody, and the risk of error is shifted toward someone not yet found guilty.

The presumption of innocence therefore does not abolish every preventive restraint. It requires that preventive detention remain distinct from punishment and that procedure, justification, review, and proportionality carry particular weight.

The closer the state comes to acting before facts are finally established, the more central procedural quality becomes. Punishment and preventive detention are not morally equivalent, but together they show that the American order accepts strong coercion under different justifications: established wrongdoing in one case, anticipated risk in the other.

4. Defending Oneself: Autonomy and Risk Imposed on Others

Self-defense shifts part of the problem away from institutions.

Under the Second Amendment, part of the capacity for protection is recognized at the individual level. The question becomes how far a person may prepare to use private force rather than depend entirely on state intervention.

District of Columbia v. Heller and New York State Rifle & Pistol Association v. Bruen give substantial constitutional protection to possession and carrying of firearms within the scope of the Second Amendment. That protection expresses one form of autonomy: the individual need not rely exclusively on the state for the possibility of self-defense.[37]

But that autonomy cannot simply be translated into an unlimited right.

United States v. Rahimi, decided in 2024, provides a decisive limit. The Supreme Court held that a person judicially found to pose a credible threat to another person's physical safety may be temporarily disarmed without that restriction necessarily violating the Second Amendment.[38][39]

The judicial finding of threat matters. The conflict is not between an abstract government and an abstract gun owner. A legal process has identified a risk to another person. The restriction then redistributes uncertainty: should armed capacity remain untouched, leaving the threatened person to bear the risk, or should capacity be temporarily limited, leaving the cost of the restriction with the rights-holder?

This resembles preventive detention in structure without being the same issue. In both cases the state acts on risk before a new injury occurs. But the right restricted, the procedure, the duration, and the threshold of danger differ. These cases should not be collapsed into a single theory of prevention.

Rahimi does not make Heller or Bruen secondary. It shows that a strongly protected right can coexist with a targeted restriction when a sufficiently serious threat has been established.

The conflict is nearly symmetrical. If government restricts firearm access too broadly, a person may lose a capacity for self-defense or the exercise of a recognized constitutional right. If government refuses any restriction even after a credible threat has been judicially established, it may shift the danger toward intimate partners or others.

One person's autonomy becomes another person's risk.

This is why the dispute cannot be reduced to liberty versus security. Security appears on both sides. The person who wants to retain a firearm may invoke personal safety. The threatened person may invoke theirs. The question becomes who should bear uncertainty, under what evidence, and through what procedure.

5. Protest, Civil Disobedience, and Who Bears the Risk

Returning to Selma closes the circle.

Political protest tests the legitimacy of coercion because it can be protected by law while still subject to some rules. A democracy must be able to organize common space without neutralizing dissent directed against its own institutions.

Time, place, and manner rules provide the necessary counterexample to the claim that every restriction is oppression. Authorities may regulate assemblies without suppressing their message.

Civil disobedience shows the inverse possibility: a legally valid rule can be challenged precisely because opponents regard it as morally illegitimate.

This forces a distinction that runs through the book: legal judgment and moral judgment are not identical.

Civil disobedience becomes especially revealing when the person violating the rule does not deny that sanction may follow. The act then aims less at abolishing all authority than at forcing a confrontation between two claims to legitimacy: the rule currently in force and the principle in whose name the rule is challenged. Accepting the risk of arrest can become part of the strategy because coercion makes publicly visible what the order requires in order to maintain itself.

Accepting a cost is not proof of moral truth. It shows only that the protester is willing to bear part of the price of the challenge personally. Judgment about the cause still requires examining the rule being contested, the rights of others, the means used, and the available alternatives. Sacrifice can make conviction credible; it cannot make conviction automatically just.

A person may have strong moral reasons to disobey and still remain legally punishable. Conversely, the existence of a legal punishment does not prove that the contested rule is just.

Civil disobedience therefore does not necessarily place the protester outside the legal order. It may use arrest, trial, or punishment as a way of exposing the cost of a rule and provoking reconsideration.

That strategy has costs of its own: arrest, conviction, lost income, or violence. But bearing those costs does not itself establish that the cause is right. A person can be sincere and courageous and still be wrong. Civil disobedience should therefore not be romanticized as though transgression were a value in itself. Its moral force depends on the content of the rule challenged, the means employed, the alternatives available, and the costs imposed on others.

This final variable reunites the chapter's cases. If police intervene too late against a real threat, a victim may bear the cost. If they intervene too early or too violently, the targeted person may lose liberty, bodily integrity, or life.

If a dangerous person is released before trial, the risk may fall on the public or an identifiable victim. If a person who has not been convicted is detained when less restrictive conditions would have been sufficient, that person bears the immediate cost of the error.

If the state sharply restricts firearm access, an individual may lose part of a capacity for self-defense. If the state refuses to restrict a person whose threat has been established, the danger is transferred toward those under threat.

If a demonstration is entirely unregulated, other citizens may bear costs in traffic or safety. If regulation becomes a device for effectively preventing dissent, the political cost is transferred toward those whose speech is neutralized.

The useful question is therefore not simply whether force exists. It is why this risk is being transferred to this person, through what procedure, with what possibility of correction, and at what level of irreversibility.

The more serious and irreversible the imposed cost, the stronger the need for justification and control.

This logic allows police force, punishment, detention, self-defense, and protest to be analyzed together without pretending they are the same. In each domain, an actor claims the authority to impose or avoid coercion. In each, someone else bears part of the risk. In none does the identity of the actor decide the case by itself.

The chapter's conclusion therefore remains conditional.

Force becomes legitimate less because of who uses it than because of the nature of the threat, the status of the person targeted, the proportion of the response, the procedure that authorizes it, and the possibility of reviewing or correcting its use.

None of those conditions is sufficient alone. A regular procedure can produce an unjustifiable decision. A real threat can receive a disproportionate response. A proportionate restraint can rest on insufficient information. A morally defensible act can remain legally punishable.

The legitimacy of force is therefore never the permanent property of an actor. It has to be reconstructed in each tradeoff.

That conclusion opens the next question. A society does not coerce only to protect or punish. It also transforms its environment in order to produce more capabilities, goods, and security. There again, benefits become visible faster than some costs.

The next question is therefore: is progress worth its cost?

CHAPTER 6 — IS PROGRESS WORTH ITS COST?

Innovation, Abundance, and Nature

A factory can be viewed from two windows. From one, we see jobs, faster production, new machines, wages, tax revenue, cheaper goods, and perhaps a technology that genuinely improves daily life. From the other, we see trucks, noise, particulate exposure, waste, energy use, and residents who receive only part of the benefits generated on their territory. Both descriptions can be true at the same time.

That is precisely what makes progress harder to define than innovation. Innovation names a novelty, a technical improvement, a new capability, or a new way of producing. It can be measured through investment, patents, research spending, productivity gains, or new performance. Progress contains an additional judgment: something has improved, not merely changed. That judgment requires further questions. Improved for whom? At what cost? For how long? With what secondary harms? And above all, who bears the costs the beneficiary does not see?

The United States gives unusual weight to this question because innovation and abundance are not merely celebrated as ideas. They are organized through firms, universities, public laboratories, infrastructure, financial markets, public procurement, and research policy. In 2023, American research and development spending approached $937 billion; estimates for 2024 came close to one trillion dollars. A cultural value becomes here an enormous institutional capacity. But that power to transform does not answer the moral question. It enlarges it.[40]

1. A New Capability Does Not Decide Whether It Is Worth Its Cost

This collective organization creates a particular responsibility. The more a society can finance, direct, and diffuse innovation, the less it can describe consequences as accidents wholly external to its choices. Government that finances research, firms that turn discoveries into products, markets that diffuse them, and infrastructure that makes them usable participate at different levels in the same system. No single actor controls all effects, but no actor can plausibly claim that the technological trajectory is entirely natural or inevitable.

This point also prevents us from moralizing the individual inventor. An industrial externality is not necessarily the product of harmful intent. It may arise because a technology solves one problem effectively while another cost becomes visible later. The institutional question is then whether the system can detect the consequence, document it, and change course before correction becomes too difficult or too expensive.

American innovation is neither purely private nor purely public. Businesses perform the largest share of research and development, but the federal government, universities, public laboratories, and nonprofit institutions also contribute. A publicly financed discovery can be developed by a private firm, incorporated into infrastructure, and diffused through markets. Public procurement can create demand. Regulation can impose a constraint that stimulates a different solution. This mixed architecture already corrects an overly simple story. Innovation is not merely the spontaneous expression of isolated entrepreneurs. It depends on institutions able to finance uncertainty, transmit knowledge, organize networks, protect rights, and build infrastructure.

That makes innovation deeply operative. A society spending close to a trillion dollars a year on research and development is not merely saying that it likes technical change. It is mobilizing immense resources to create new capabilities. But a new capability is not yet a moral verdict. A technology may reduce the price of a good while increasing occupational exposure. It may save time for consumers while increasing the volume of materials moved upstream. It may democratize a form of mobility once reserved for a minority while increasing energy demand. It may create an entire industry while making other jobs or infrastructures obsolete. In every case, the novelty is real. The question of progress begins only after that.

Two opposite simplifications therefore have to be resisted. The first treats every innovation as progress by definition. It turns the capacity to do something into proof that it was good to do it in that way. The second treats every industrial transformation as suspect because it necessarily produces costs. But every significant human activity consumes resources, time, space, or energy. The existence of a cost is not enough to condemn a benefit. The problem is how benefits and costs are distributed.

Material abundance illustrates this ambiguity. Postwar America linked refrigerators, household appliances, plastics, industrial food systems, automobiles, heating, and air-conditioning to a tangible rise in living standards. That abundance reduced some forms of scarcity, eliminated part of domestic labor, made food easier to preserve, and expanded mobility.

Those gains should not be retroactively downgraded merely because some of their costs are better understood today. A society that has escaped scarcity in several dimensions genuinely possesses more capabilities. But multiplying goods also relocates the problem. Producing more means extracting more material, organizing more transportation, using more energy, and managing the end of life of a growing volume of objects. Abundance does not eliminate material cost. It can make that cost less visible to the person using the final product.

The factory seen through two windows therefore becomes a model for the entire chapter. The immediate beneficiary may not be the person breathing the pollution, financing cleanup, hosting the infrastructure, or inheriting the damage. The same activity can be rational for the people inside the transaction and problematic for those outside it.

This also explains why abundance can sincerely feel like progress to most consumers and yet be contested in places where its costs are concentrated. The two experiences do not cancel each other. A family that obtains a cheaper appliance receives a real benefit; a community exposed to a nuisance receives a real cost. The difficulty begins when either perspective is treated as though it described the whole system by itself.

The question of compensation follows. Some local costs can be reduced, compensated, or redistributed. Standards may improve a technology, infrastructure may be relocated, a community may receive resources, or a polluting activity may be transformed. In other cases, money cannot fully restore damaged health, a destroyed environment, or an imposed exposure. Compensation therefore has to be distinguished from repair.

This separation does not automatically turn gain into injustice. It simply means that the price paid by the buyer may not represent the whole social cost. Markets are very good at recording some things. Product prices incorporate paid labor, purchased materials, billed energy, capital, transportation, insurance, and many regulatory obligations. But they do not spontaneously register every harm imposed on someone who is neither buyer nor seller. Innovation can therefore be useful, operative, and profitable while producing a more complicated balance than the transaction alone reveals. Progress becomes a moral question when society has to decide whether new capabilities justify the costs shifted beyond that transaction.

2. The Costs Prices See Poorly

Externality is the economic name for part of this problem. An actor produces a benefit or harm that is not fully incorporated into the transaction. The term may sound technical, but its structure is simple: someone receives a bill without having participated in the contract that created it.

Particulate pollution provides a particularly clear case. The Environmental Protection Agency links exposure to fine particles with risks including premature death, heart attacks, aggravated asthma, reduced lung function, and respiratory symptoms. These are not merely aesthetic nuisances or abstract discomforts. They can affect health and life expectancy directly. Nor are they necessarily distributed evenly. Some populations experience greater exposure in combination with other social and health vulnerabilities. Federal environmental-justice tools were built in part to identify those overlaps.[41 42]

None of this justifies turning every territorial difference into an automatic moral accusation. An industrial zone does not become unjust simply because exposure there differs from that in a rural area. Activities have to take place somewhere, and their benefits may also reach nearby residents, workers, and local governments. But the distribution has to remain visible. If an activity provides inexpensive goods to millions of consumers while concentrating part of the health burden on a much smaller population, a national average can hide the real tradeoff. A diffuse benefit can look enormous precisely because the cost is localized.

Time creates the same problem. Infrastructure can provide mobility, energy, or production today while leaving cleanup, maintenance, or conversion costs later. Environmental regulation can require investment now even when part of the benefit will appear only years in the future.

That absence creates a particular asymmetry of sovereignty. People alive today can choose to consume a resource, build infrastructure, or postpone a correction; those who will later receive the consequences have no direct way to refuse that decision. The intergenerational argument does not give the future an unlimited claim over the present, but it prevents us from treating the absence of protest as a form of consent.

Political visibility is also shaped by time. An immediate benefit is easy to assign: a factory opens, a bill falls, a road shortens a trip. A diffuse cost unfolding over thirty years is harder to connect to the original decision. Institutions sometimes have to manufacture visibility through measurement, projection, insurance, liability, or regulation. The future becomes a kind of absent participant.

Future generations do not vote today, buy the goods whose waste they may inherit, or refuse the infrastructure they will receive. That does not mean every policy invoking the future is justified. The future is also fertile ground for unverifiable promises. A technology may announce benefits that never materialize; a regulation may impose certain costs in the name of uncertain future effects. Intergenerational tradeoffs therefore require a double caution: a delayed cost is not unreal, but a future benefit is not certain merely because it has been promised.

The energy system illustrates another risk: selecting an indicator that describes only part of a transformation. In 2025, renewables produced about 24 percent of U.S. utility-scale electricity. That is a real transformation of the electric-power sector. It would nevertheless be misleading to present that figure as the renewable share of all energy consumed in the country. At the level of total primary energy, the renewable share was closer to 9 percent. The figures do not conflict. They describe different denominators. Electricity is a subsystem of energy; transportation, much of industry, and other uses still rely heavily on fossil fuels. A transition can therefore advance rapidly in electricity while moving more slowly in the total energy system.[43]

Saying "only 9 percent" could minimize genuine change in electricity. Saying "already 24 percent" could exaggerate the transformation of total energy. Sound judgment requires knowing exactly what a number measures.

Waste presents a different problem: the age of the data. In 2018, the United States generated roughly 292.4 million short tons of municipal solid waste. About 146.2 million tons were landfilled, nearly 69 million were recycled, and about 24.9 million were composted. Those numbers are useful because they give material scale to abundance. They show that a product's life cycle does not end when it disappears from the consumer's home.[44] [45]

But the date must remain explicit. In 2026, the EPA still presents 2018 as the most recent complete national year for this series. Those figures cannot be written as though they described the present after eight years of possible change.[46]

The age of a dataset should not be turned into rhetoric. It does not allow us to claim that waste generation has risen since 2018 or fallen since 2018. It simply prevents a present-tense formulation that would make an old national figure appear current. That methodological restraint belongs to the substance of the chapter: one cannot demand that a society make its costs visible while hiding uncertainty in one's own measurement.

Waste also shows that end of life is not a peripheral detail of abundance. A product can have fulfilled its purpose perfectly for the user and continue to require land, transportation, energy, or storage after consumption. Progress in use and material cost can therefore be separated by years and by geography.

The documentary limitation is itself instructive. A society can produce and consume at extraordinary speed while measuring some national material consequences much more slowly. That does not prove conditions have worsened since 2018. It means that the ability to steer the system depends partly on the quality and timeliness of measurement. The cost may move from one body to another, one place to another, one generation to another, or simply disappear behind an indicator too narrow to capture it. Making it visible is a condition of judgment. It is not yet judgment itself.

3. Correcting Costs Without Denying Innovation

Once an externality becomes visible, society may decide to intervene. It can tax an activity, impose a standard, ban a product, require disclosure, create liability, organize a permit market, subsidize a replacement technology, or redesign infrastructure. Each tool seeks, in a different way, to bring the cost borne by the decision-maker closer to the cost actually produced. But correction has costs of its own.

This point is essential because two symmetrical stories can distort the issue. The first claims that regulation merely adds expense, slows the economy, and blocks innovation. The second treats compliance costs as morally negligible as soon as an environmental benefit is identified. The Clean Air Act provides a strong counterexample to the first story.

The EPA's prospective analysis of the 1990 amendments estimated that, for 1990 through 2020, its central estimate of benefits exceeded costs by more than thirty to one. Even the low estimate remained above costs. A major share of the monetized benefit came from avoided premature deaths associated with particulate pollution. The case matters because it shows that regulation can require real investment from firms while still producing, according to the official analysis, health and economic benefits far greater than those costs. But the thirty-to-one ratio cannot become a moral machine.[47]

Cost-benefit analysis depends on assumptions, scenarios, valuation methods, and what can or cannot be monetized. Ecological, cultural, or distributive losses can be difficult to translate into dollars. A monetized benefit exceeding a monetized cost does not make every other question secondary. The case establishes a narrower point: regulation cannot be defined in advance as a net loss.

The AIM Act and federal rules governing hydrofluorocarbons provide the opposite counterexample. EPA regulatory analyses explicitly estimate equipment, maintenance, adaptation, reporting, and monitoring costs. For one final rule, the agency estimated discounted compliance costs of roughly $1.3 billion at a 3 percent discount rate while also estimating larger climate benefits and a positive net benefit.[48]

That matters because aggregate analysis can make the losers from an otherwise effective policy disappear. A rule may produce national benefits far greater than its total costs while concentrating those costs on a relatively small set of firms, workers, or regions. The aggregate result answers one question; distribution answers another.

Correction can therefore require a second mechanism: adaptation periods, investment support, technical assistance, or gradual transition. Those measures have costs too and may be contested. But they show that society can recognize both the need to correct an externality and the fact that particular actors must bear unusually concentrated burdens. A positive net result does not make the burden unreal.

Someone has to modify equipment, purchase machinery, change a process, train workers, or spend time on administrative requirements. A large corporation and a small firm may not absorb the same obligation in the same way. A sector may bear up-front costs before diffuse benefits appear. A region dependent on one activity may experience a local loss even if the national effect is positive. These differences cannot be resolved by collapsing them into a single score.

The problem becomes especially sharp when several public goals overlap. A transmission line may be desirable because it integrates new generation, strengthens resilience, or moves electricity across regions, while also raising legitimate land-use, environmental, and local concerns. Accelerating every permit in the name of transition can shift costs onto host communities; preserving every procedure without limit can prevent infrastructure on which other environmental or energy goals depend.

There is no ideal procedure that simultaneously maximizes speed, participation, review, predictability, and protection. Institutional design requires deciding which checks are indispensable, which are redundant, and how to prevent the right to challenge a project from becoming either fictional or indefinitely blocking.

The Department of Energy has acknowledged that fragmented planning, siting, and permitting processes have delayed some transmission projects and raised costs. The paradox is revealing. A regulatory architecture designed to manage impacts, property rights, and procedure can itself obstruct infrastructure needed for other public goals. Building-integrated photovoltaics offer a smaller but comparable example: participants in a DOE process reported that multiple certification and compliance requirements can add time and cost to emerging technologies.[49]

These cases do not prove that "regulation blocks innovation." Procedures can also stop poorly designed projects, protect communities, and reveal risks promoters do not bear directly. They show something else: regulation is itself an institutional technology. It can be well designed, too slow, redundant, insufficient, obsolete, or revisable. Like a machine, it should be evaluated by its function and effects rather than by its abstract existence.

Progress therefore does not require a final choice between markets and regulation. It requires the capacity to modify rules when an externality becomes visible, and then to modify the correction if the correction itself creates disproportionate burdens or blocks a useful transformation. Correction becomes a second form of innovation—not technical this time, but institutional.

4. Nature, Abundance, and the Intergenerational Tradeoff

Opposing "the economy" to "nature" often creates more confusion than clarity. Population health, water availability, air quality, infrastructure stability, and the renewal of resources are not external to economic life. They condition the ability to work, produce, invest, and live in a place. Conversely, protecting a natural environment has material and political costs. A restriction on use may block extraction, raise the price of a resource, reduce local activity, or shift production elsewhere.

The real conflict is therefore not a concrete economy versus an abstract nature. It concerns present and future uses, benefits and risks, different populations, and different understandings of what should be conserved. American history contains a conservation tradition as real as its tradition of abundance. National forests, refuges, parks, the Antiquities Act, and preservation policies show that part of the American order has accepted removing certain lands or resources from immediate economic use, or organizing their use over a longer horizon.[50]

That heterogeneity protects the chapter from an easy opposition between producers and defenders of nature. Conservation itself can be justified by human uses: maintaining a productive forest over the long term, protecting a water supply, preserving recreation, or preventing ecological degradation from undermining other activities. Even strict preservation requires a decision about what should be withheld from particular uses.

The conflict is therefore often less about the presence or absence of economic value than about time horizon and the definition of beneficiaries. Immediate use can concentrate benefits in one generation; conservation can distribute a possibility across several generations. But conservation can also impose present costs on workers or communities that depended on the activity being restricted.

The conservation tradition is itself plural. Preservation may seek to protect some places against exploitation. Utilitarian conservation may accept use while insisting that resources be managed sustainably. Habitat protection may pursue yet another objective. Nature therefore no more produces a single value than progress does. This pluralism matters because it prevents American history from being reduced to a culture of extraction that discovered environmental concern only late in its development. Abundance and conservation are both institutionally real. Their conflict concerns what one generation may use, transform, or leave to the next.

Time is therefore central. A resource extracted today may generate jobs and goods while reducing future options. Expensive infrastructure today may prevent later damage. A protected area may preserve ecological or cultural capacities for people who are not yet alive. But speaking for the future carries its own danger: absent generations cannot confirm that what we claim to protect is what they would choose. Prudence therefore requires distinguishing what is reversible from what will be difficult to undo.

An excessive expenditure may sometimes be compensated. An inefficient technology can be replaced. Some environmental damage can be repaired. Other transformations are much harder to reverse or may create effects lasting decades. Irreversibility does not automatically decide that a project should be rejected. It raises the potential cost of error.

An intergenerational tradeoff cannot therefore be reduced to present preference. But neither can the future be given infinite weight in a way that forbids all consumption, risk, or transformation today. A society has to live before it can transmit. The question becomes proportional: how much present benefit justifies what kind of future cost, under what degree of uncertainty, and with what possibility of correction?

That formulation allows the chapter to be read as a whole. Innovation creates capabilities. Abundance changes life in real ways. Externalities reveal that some costs can be shifted outside the transaction. Regulation can make those costs visible and bring them back into decision-making. But regulation also imposes burdens and can sometimes slow other useful innovation. Conservation protects future possibilities while limiting some present uses.

None of these elements is morally sovereign. Progress is therefore a conditional verdict rather than a property of novelty. For an increase in capability to be defended as progress, at minimum we have to make visible who benefits, which people or places bear the costs, when those costs occur, how reversible they are, and whether the tradeoff can be corrected if an unexpected consequence appears.

Even visibility does not decide the matter. A visible harm may still be judged acceptable in light of a major benefit. An expensive regulation may be justified. A useful innovation may deserve acceleration despite some impacts. An environmental protection may be too rigid in a particular case. The book offers no formula that converts these dimensions into a common score.

Visibility nevertheless performs a decisive function because an invisible cost cannot enter the tradeoff at all. As long as harm remains outside the price, far from the place of decision, or postponed in time, it is easy to proceed as though it did not exist. Making the cost visible does not dictate the answer. It turns a suffered consequence into an explicit political question.

This is where human sovereignty returns to the center of the analysis. No economic model, ratio, or technology can decide by itself how much risk, health, landscape, employment, or inherited possibility should be sacrificed. Analytical instruments can clarify consequences. They cannot replace judgment among heterogeneous values. Visibility is a condition of responsibility, not a machine for producing moral conclusions.

The chapter's verdict can therefore remain precise. Innovation is a strongly operative American value. Abundance has produced real material gains. Conservation and regulatory correction are also deeply institutionalized. Progress is neither material growth alone nor the refusal of material growth. It becomes defensible when an order can see who gains, who pays, how long the cost will last, and what can still be repaired.

A civilization reveals something of its morality not only in what it invents, but in the bills it refuses to leave invisible. The next chapter moves that question beyond the nation's borders. When a great power acts in the world, the beneficiaries, the people bearing the costs, and the people making the decision may be even farther apart.

CHAPTER 7 — WHEN AMERICA ACTS ON THE WORLD

Interests, Values, and Costs at a Distance

A democracy rarely acts abroad in exactly the same way it acts within its own borders. At home, citizens can vote, challenge decisions, go to court, invoke constitutional rights, and participate directly or indirectly in selecting those who govern. Abroad, people affected by an American decision do not stand in the same institutional relationship to Washington. They may be allies, partners, adversaries, protected populations, targets of sanctions, recipients of aid, or people exposed to military force without belonging to the political body that made the decision.

That asymmetry does not mean declared values automatically disappear once the United States crosses its borders. The country has financed reconstruction, supported some democratic transitions, condemned human-rights abuses, created aid programs, and at times accepted major costs in pursuit of objectives that cannot be reduced to immediate material gain. But foreign policy introduces variables that alter the tradeoff: national security, alliances, credibility, strategic access, regional balance, military risk, budgetary cost, uncertainty about consequences, and limited control over local actors.

That is why contradictions abroad are especially difficult to interpret. Does an alliance with an authoritarian regime prove that democracy does not matter? Does a military intervention described as liberating prove that humanitarian values are paramount? Is large-scale foreign aid altruistic if it also serves American strategic interests? Does a later failure prove that the original intention was fraudulent? None of these questions can be answered by a single word.

The cost borne by the United States is a useful indicator. A policy that requires large expenditures, political risk, military commitment, or sacrifice of other options reveals that some objective is being treated seriously. But cost is never automatic proof of morality. An expensive war may still be unjustifiable. A low-cost policy may protect something important. And the costs borne by Washington cannot be added as though they were commensurable with those borne by populations abroad.

This chapter therefore follows four cases with different functions: the Marshall Plan, Chile in the early 1970s, the alliance with Saudi Arabia, and Iraq in 2003. They are not a moral ranking of American foreign policy. They test a narrower question: what happens to democracy, human rights, security, and national interest when they stop moving in the same direction?

1. A Great Power Does Not Act Abroad as It Does at Home

The first difference concerns the subject. Within the United States, the constitutional order establishes strong obligations toward people under American jurisdiction and reserves certain forms of political participation to citizens. Abroad, people may be deeply affected by American power without possessing equivalent institutional means to influence the decision. The relationship is not that of a government to its electorate. It is that of a powerful state to other states, societies, and actors.

This changes the relation between sovereignty and responsibility. The U.S. government is authorized first by its own political community, but its power allows it to produce effects far beyond that community. Internal democratic legitimacy therefore does not mean that foreign populations affected by the decision have consented to it. Congress, the president, or an administration may act through regular American procedures and still impose consequences on people who had no comparable access to those procedures.

That gap does not make every foreign policy illegitimate. No state can submit every diplomatic or military decision to the vote of every population affected. It does, however, create an additional analytical burden: the greater the capacity to impose costs at a distance, the stronger the need to examine justification, proportionality, information, alternatives, and the ability to limit harm.

Domestic policies can often be punished directly by voters who bear their costs. Foreign policies may place a large share of their consequences on people who do not vote in the United States. The American government still bears costs of its own—military casualties, budgetary spending, reputational damage, retaliation, domestic conflict, and economic loss—but the distribution is not symmetrical.

It is also necessary to distinguish costs the decision-maker chooses to bear from costs transferred to others. A U.S. budget appropriation, the loss of American soldiers, or diplomatic risk are costs borne by the polity making the decision. Local destruction, population displacement, or the strengthening of a repressive regime may fall primarily on people outside that polity. Both must be documented, but they are not politically or morally interchangeable.

This is why the political courage required to accept domestic costs cannot by itself justify an action abroad. Bearing a cost at home may show that a government strongly believes in an objective; it does not grant the right to impose any cost on another population. Conversely, a policy that avoids domestic costs while allowing danger to grow elsewhere is not automatically more moral. The analysis has to reconstruct both sides: what the power is willing to pay itself, and what it asks others to bear directly or indirectly.

American cost remains an indicator of priority, not a measure of justice. National interest introduces another variable, and that phrase can include very different aims: military security, regional stability, alliances, access to resources, diplomatic credibility, commerce, protection of citizens, or preventing an adversary's expansion. Saying that a policy serves "American interests" therefore does not mean it serves only one goal. It also prevents an overly simple opposition between interest and value.

A reconstructed Europe after 1945 could be desirable because it reduced suffering, stabilized democratic societies, recreated markets, and limited Soviet expansion at the same time. The same spending could serve several functions. This is important because values are easiest to observe when they become costly relative to other objectives. A principle is only lightly tested when it coincides with every strategic interest. It becomes more revealing when a government has to choose between goods it cannot fully protect together.

Foreign policy also requires strict causal discipline. An outside government can influence a local situation without controlling it. It can support actors who later commit abuses it did not directly command. It can trigger an intervention that opens political or military dynamics then shaped by many other actors. It can also be blamed retrospectively for consequences no one could have predicted with precision. Influence, responsibility, and causation therefore have to remain distinct. A U.S. decision may be an important condition of an outcome without being its only cause. A local actor may retain real agency even while receiving outside support. A consequence may be foreseeable without being intended. A stated intention may be sincere and still lead to a grave error.

That is precisely why foreign policy is such a strong test of the method used in this book. It forces us to separate rhetoric, decision, information, interest, action, cost, and consequence more carefully than ever.

2. The Marshall Plan: When Values and Interests Converge

The Marshall Plan is a useful starting point because several objectives reinforced one another rather than colliding. In 1947, Europe faced destroyed infrastructure, disrupted economies, shortages, and political instability. The United States possessed exceptional economic power and feared that disorder on the continent could strengthen Soviet influence. George Marshall's proposal therefore cannot be described as charity detached from strategy. Rebuilding European economies also meant restoring trading partners, stabilizing governments, and consolidating a political space compatible with American strategic interests. Contemporary diplomatic records make the security dimension clear. But recognizing that interest does not reduce the aid to a façade.[51]

The cost matters because the policy was not merely rhetorical. It took the form of appropriations, goods, programs, and a cooperative architecture that could simply have gone unfunded. American taxpayers bore a real burden for objectives that concerned both European societies and the strategic position of the United States.

That material reality prevents the Marshall Plan from being dismissed as mere public relations. Propaganda can embellish a real policy, select its most favorable motives, and obscure others; it does not make the distributed aid fictional. The point is not to choose between generosity and calculation. The same act can be sustained by both.

The program committed substantial American resources over several years to reconstruction, imports, investment, and economic recovery. The beneficiaries received real aid; the United States bore a real budgetary cost; the strategic objective was real as well. The case therefore shows why the opposition between altruism and national interest is often too crude. A policy can improve another society while also strengthening the security or influence of the state providing the help. The donor's benefit does not cancel the recipient's benefit.

Two opposite errors have to be avoided. The first is cynical: if there was an American interest, the values invoked must have been false. That confuses mixed motivation with deception. Institutions can pursue several goals at once. The second is apologetic: because the Marshall Plan helped reconstruction, American foreign policy must therefore be fundamentally altruistic. The case proves nothing so broad. It describes a specific historical configuration in which strategic interest, political stability, and reconstruction aligned.

That convergence matters because it supplies the counterexample the rest of the chapter requires. If we examined only cases in which the United States tolerated dictatorship or launched a controversial war, it would be easy to build a theory in which values were merely decorative. The Marshall Plan blocks that shortcut. There are circumstances in which the United States accepted substantial costs for a policy whose effects also genuinely benefited other societies.

American spending here is evidence of priority, not proof that every choice within the program was just or that every beneficiary gained equally. It shows that European reconstruction, economic stability, and the emerging Western strategic architecture were important enough to justify large-scale expenditure. The case also introduces a distinction that will matter later: convergence is not hierarchy. When democracy, stability, trade, and security all point in the same direction, we learn little about which one would be sacrificed first if they came apart. Chile poses exactly that question.

3. Chile and Saudi Arabia: When Some Values Stop Being Priorities

Chile in the early 1970s presents nearly the opposite structure. Salvador Allende came to power through Chile's electoral institutions. Washington viewed his government through the Cold War, fear of expanding Marxist influence in the hemisphere, and economic concerns involving American interests. U.S. diplomatic records document efforts to limit or weaken Allende and political and economic actions intended to shape the Chilean environment.[52]

The point is not that the United States single-handedly controlled Chilean history. Chilean political forces, the armed forces, social conflict, economic tensions, and domestic actors retained their own agency. But American action mattered. It shows that the operative value of a foreign democratic result could weaken when that result was perceived as a major strategic threat.

The sequence requires three causal levels to remain separate. First came American hostility to the Allende government and efforts to influence its political and economic environment. Second came the decisions and actions of Chilean forces that overthrew the government. Third came the later conduct of the military regime. These levels are historically connected without being causally identical.

A serious account can therefore recognize American responsibility for particular forms of intervention and influence without treating every Chilean action as though it were directly ordered from Washington. That distinction does not minimize interference. It defines it more precisely. The chapter's question is narrower: how far does support for a foreign democratic outcome survive when that outcome sharply conflicts with a strategic objective?

The September 11, 1973 coup opened a military dictatorship. The Pinochet regime became authoritarian and carried out severe repression, including killings, disappearances, torture, and persecution documented by Chilean truth commissions. Causal language must remain strict here. Those crimes were committed by the regime and its apparatus. Attributing each act directly to the United States would erase the agency and responsibility of the actors who carried them out. American support or policy toward Chilean actors does not abolish their responsibility.[53]

The relevant conclusion is more limited: a value presented as central—democracy—could be subordinated when a democratic result was considered sufficiently dangerous to other interests. This does not prove that the United States always prefers a friendly dictatorship to an unfriendly democracy. It shows that this preference existed in at least one concrete strategic configuration.

Saudi Arabia reveals a different tension: more durable, less tied to a single episode of regime change, and publicly documented over time. The relationship between Washington and Riyadh rests on regional security, defense, energy, trade, investment, and strategic coordination. Official American announcements in 2025 underscored the depth of the economic and defense partnership. At the same time, U.S. human-rights reporting documented major restrictions on political participation, expression, detention practices, and other forms of repression.[54][55]

This publicity changes the structure of the tradeoff. The issue is not that the American government simply does not know. One set of American institutions can document abuses while other parts of the government deepen strategic cooperation. The coexistence of those two official positions is not enough by itself to prove hypocrisy. It is stronger evidence of competing priorities.

A government may try to influence an ally privately, condition some forms of cooperation, or criticize particular practices while judging that a full break would produce still greater costs. But once a significant relationship is maintained, human-rights concerns are in practice being limited by other considerations. The tradeoff becomes visible not because the value disappears, but because it is not given enough weight to command the entire policy.

Tolerance is not the same as approval. A state may maintain an alliance with a regime whose practices it rejects because it considers security or regional balance more important than rupture. But this distinction does not remove the tradeoff. Continuing a major partnership despite known contradictions means that the defense of certain values does not extend to the point where the alliance itself would be lost. Human rights may remain proclaimed, documented, and occasionally used as leverage without becoming sovereign.

Chile and Saudi Arabia therefore resemble one another in one respect and differ in many others. In both, a value tied to democracy or human rights meets a powerful strategic consideration. But Chile concerns intervention in a conflict over political change and regime outcome; Saudi Arabia concerns an enduring alliance with a government whose authoritarian characteristics are openly known. Their local costs are not numerically comparable and must not be aggregated into a ranking. The comparison is structural: strategic priorities can make declared values more conditional when those values become expensive to maintain.

4. Iraq 2003: Justification, Information, Decision, Consequence

The 2003 invasion of Iraq requires even stricter separation of analytical levels. American justifications combined several arguments. Iraqi disarmament and the threat of weapons of mass destruction were central. Security after September 11 changed the perception of risk. Counterterrorism, Saddam Hussein's dictatorship, and the possibility of a freer and more representative Iraq also appeared in public argument.[56]

Those justifications also shifted over time and therefore cannot be collapsed into a single timeless rationale. Before the invasion, weapons of mass destruction and Iraq's compliance with international obligations occupied a central place in the security argument. After the regime fell, Iraqi freedom and the construction of representative government became more prominent in public explanations of the continuing American presence. That evolution does not prove that later goals were invented after the fact. It does mean that arguments made at different moments cannot be projected backward as though they had carried the same weight in the original decision.

Chronology therefore protects against retrospective reconstruction. Later consequences should not be used to attribute information to decision-makers that they did not yet possess. Conversely, a goal that became central after the intervention should not automatically be treated as the primary reason for entering the war.

Describing the invasion as exclusively humanitarian would erase the centrality of security and weapons-of-mass-destruction claims. Describing it as exclusively material would erase the plurality of arguments actually used by American institutions. The methodological question is different: what did decision-makers know, what did they believe they knew, what did they present to the public, and how were those claims later reassessed?

Senate investigations into prewar intelligence and the Duelfer Report provide an important institutional record of that reassessment. Several central claims about Iraqi weapons programs were not confirmed in the form in which they had been presented before the war. That finding does not allow us to read the inner intentions of every decision-maker. Information can be wrong, exaggerated, selectively used, misunderstood, or communicated with greater certainty than the evidence supports. Those mechanisms are not morally equivalent, and the sources should not be made to prove one when they establish only another.

The official reassessment does show that self-correction can operate at several levels: source quality, intelligence analysis, degree of certainty, transmission of information, and political presentation. A democracy can reexamine not only a conclusion but the chain that produced it. That matters especially when the original decision was as difficult to reverse as a war.

But a later report does not erase the question of the threshold for acting. When a decision can trigger massive and durable effects, the issue is not merely whether some information existed. We must ask what degree of confidence was reasonably required before taking such an irreversible step, what alternatives existed, and how uncertainty was communicated.

A decision honestly made on gravely inadequate information raises questions of prudence, procedure, and evidentiary threshold. A decision based on deliberate deception would raise a different problem. Analysis must not invent one when the sources establish only the other.

The United States also bore enormous costs: military losses, public spending, political mobilization, and long-term strategic consequences. That prevents the war from being described as costless to the country that chose it. But bearing those costs does not justify the intervention. It shows only that the objectives invoked were treated as important enough to support an extremely expensive policy.

The Iraqi costs belong to another category. Population displacement provides one robust indicator of the scale of disorder and violence without pretending to summarize all human loss. In 2007, UNHCR estimated roughly 1.9 million Iraqis displaced inside the country and up to two million who had fled abroad. In 2008, more than 2.77 million remained internally displaced.[57][58]

Those numbers cannot simply be relabeled as "victims caused by the United States." The invasion and occupation were major causal forces in transforming the environment, but institutional collapse, insurgency, jihadist groups, sectarian violence, political rivalry, and the actions of many different actors shaped what followed. The chapter must resist total causation.

Yet it would be equally misleading to sever the initial decision from everything that later became foreseeable. A power that removes a regime assumes a special responsibility to evaluate the risks of institutional vacuum, occupation, and reconstruction. The fact that many actors contribute to a disaster does not eliminate the question of whether the initial decision-maker adequately anticipated dynamics it could reasonably be expected to foresee.

Both propositions must remain visible at once. The United States was not the sole cause of all violence in Iraq. At the same time, the intervention was a major causal decision that altered the environment in which later violence became possible and therefore created a special obligation of planning and risk assessment.

Perfect planning does not exist. Societies react, actors adapt, and genuinely new dynamics appear. Judgment must therefore distinguish what was unforeseeable, what was uncertain but identified, and what should reasonably have been considered. That is more demanding than a verdict based solely on the final outcome.

Iraq also clarifies the difference between intention and execution. A democratic or security goal may be sincerely stated and still produce results that partly contradict it. Intention does not guarantee implementation. A negative consequence does not automatically prove a hidden intention. Between the two lie information, planning, alternatives, and decisions. A value can therefore remain sincere while failing in its incarnation because the institution defending it acted incompetently or on badly structured information. Textual coherence is not lived coherence; intention is not execution; decision is not result.

5. Intervention, Inaction, and Self-Correction

The four cases would produce a distorted picture if we counted only harms caused by action. Intervention imposes costs, but inaction can also leave costs with others. A power that refuses military action avoids some risks of war but may allow a massacre or an expanding threat to continue. A government that breaks with an authoritarian ally may defend its principles more strongly while losing influence, intelligence cooperation, or regional security. A costly aid program may appear excessive while its absence permits deeper instability.

This protects the analysis against a common moral asymmetry: counting victims and harms caused by action precisely while treating inaction as though it were an empty world. Sometimes inaction is the best option. In other cases it allows danger, repression, or collapse to continue. The correct comparison is therefore between imperfect alternatives.

Those alternatives are rarely binary. Between invasion and passivity there may be sanctions, negotiation, deterrence, monitoring, limited support, economic pressure, or diplomatic coalitions. Responsibility therefore includes how alternatives were examined, not only the final choice. This observation does not justify any particular intervention. It identifies the correct counterfactual. The alternative to a foreign policy is never "no cost." It is another distribution of costs, risks, and responsibilities.

The Marshall Plan makes this easy to see: not financing reconstruction would have spared American money while leaving other economic and strategic risks in place. Chile is harder: greater respect for Chilean political autonomy may have been morally preferable while leaving, from Washington's perspective, a strategic danger it considered serious. Saudi Arabia raises the possible costs of rupture or distancing. Iraq requires comparing invasion not to a world without Saddam Hussein or without security problems, but to continued containment, sanctions, monitoring, deterrence, and other available options.

Reconstructing those alternatives is not the same as endorsing the decision that was actually taken. It means judging among possibilities that genuinely existed rather than comparing history to a perfect world invented afterward.

Self-correction becomes a final variable. The United States possesses mechanisms capable of reexamining foreign-policy decisions: congressional investigations, intelligence reports, commissions, the press, elections, diplomatic archives, litigation, and changes of administration. Iraq provides a particularly visible example through official reassessment of prewar intelligence. This correction is real because it creates records, identifies mistakes, and can shape later procedures.

But review is not repair. A report issued after a war does not restore lives, automatically rebuild destroyed institutions, or return displaced people to their previous situation. Institutional correction matters; it does not make irreversible costs reversible. The same caution applies to public recognition of contradictions with allies. Publishing a human-rights report creates visibility and may support pressure. It does not prove that strategic policy has changed. Self-correction must therefore be judged by its effects, not by its mere existence.

The four cases can now be brought together without being collapsed into one story. The Marshall Plan shows that values and interests can converge and justify a real American cost. Chile shows that a democratic value can become secondary when a foreign political result is perceived as a strategic threat. Saudi Arabia shows that a major alliance can endure despite openly documented contradictions with democracy and human rights. Iraq shows that an intervention can combine several justifications, be made under imperfect information, produce multicausal consequences, and later become the object of institutional reassessment.

None of these cases yields a stable hierarchy. They support a more limited proposition: abroad as at home, a value becomes especially visible when maintaining it becomes costly. Foreign policy adds one further difficulty: those who bear the cost are often not those who participated in the decision. A great power may therefore reveal its operative hierarchy in what it is willing to make others bear at a distance in order to protect an interest it considers more important.

That is not a general condemnation. Every foreign policy produces effects on people who do not directly participate in the decision. The moral problem is whether those effects are justified, proportionate, sufficiently anticipated, and revisable.

The power's own cost remains an indicator of priority. Local cost remains a consequence that must be distinguished causally. Interest does not cancel value. Value does not cancel interest. Convergence does not prove altruism. Contradiction does not automatically prove hypocrisy.

The most precise conclusion is therefore conditional. Abroad, democracy, human rights, security, and national interest function less like a fixed pyramid than like competing presumptions whose force varies with strategic context, cost, and the subject affected. The morality of power becomes visible when those presumptions can no longer all be protected at once.

The final chapter asks what follows once the contradiction has been made visible: what does a nation do with its own past?

CHAPTER 8 — HOW A NATION EXPLAINS ITS CONTRADICTIONS

Narrative, Recognition, and Correction

A recognized wrong can become a monument, an apology, compensation, an archive, a reform—or almost nothing.

That difference is the starting point of this final chapter. Throughout this book, American values have appeared in conflict: liberty against equality, autonomy against solidarity, security against rights, innovation against displaced costs, democratic principles against strategic interests. But a society reveals its values not only when it chooses among competing goods. It also reveals something about its morality when it returns to its own choices. What does it do with an act that has become difficult to defend? It may isolate the act as an exception. It may explain that it responded to an emergency. It may acknowledge that the reasons offered were wrong. It may preserve the principle while arguing that the principle was applied too narrowly. It may create archives, compensate victims, change a procedure, or deliberately limit the legal consequences of an apology. These responses do not have the same force.

Revelation is not recognition. Recognition is not apology. Apology is not repair. Repair does not erase the damage. Reform does not guarantee that a similar wrong cannot recur in another form. Nor does a national narrative speak with one voice: governments, courts, journalists, scholars, families, movements, and political opponents can describe the same episode in incompatible ways at the same time.

American self-criticism therefore should not be treated as a psychological trait of the nation. Saying that "America knows how to correct itself" would turn specific historical conflicts into a collective character. What can be observed is more limited and more defensible: American institutions and actors sometimes possess mechanisms for revealing, contesting, recognizing, recording, repairing, or transforming contradictions. The useful question is therefore concrete: what does the new narrative actually require to change?

1. Naming a Wrong Is Not the Same as Correcting It

The same contradiction can receive several narratives, and each narrative protects something different. The first describes the event as an exception. The principles remain sound; a few officials, an administration, an era, or an institution betrayed them. That account can be true. A constitutional order may genuinely contain rules that a government violates. Describing a wrong as a deviation is therefore not automatically a strategy of concealment.

But the language of exception can also protect the system from a harder question: what in its ordinary institutions made the deviation possible? If no rule, control, archive, or responsibility changes afterward, “exception” can become a way of saving the principle without addressing the conditions that allowed its violation.

A second narrative invokes necessity. War, emergency, secrecy, security, fear of a threat, or political instability can explain why a decision appeared reasonable to those who made it. Here again, explanation is not justification. An institution may have had good reason to fear a danger and still have chosen an unjustifiable means. It may have acted on information sincerely believed to be true but insufficient. It may have exaggerated a threat. Or it may later produce a cleaner justification than the motives that were actually decisive. These mechanisms are not equivalent. Their common point is only that causal explanation is not moral absolution.

This distinction blocks two symmetrical errors. The first says: they were afraid, therefore the act was excusable. The second says: the act was unjust, therefore every reason offered for it must have been a lie. A justification can be sincere and still be bad. A reason can be real and still be insufficient. An institution can also be wrong about the world without lying about what it believes.

A third narrative speaks of an unfinished promise. The principle, on this view, was broader than its historical application. Liberty and equality existed as norms before they were extended in practice to people excluded from them. This interpretation has substantial historical support: civil-rights movements did in fact invoke American constitutional and political principles against American institutions.

Yet this story can become too comfortable as well. To say that the nation was gradually “fulfilling” a promise can minimize the extent to which exclusions were supported by laws, administrations, courts, and durable majorities. Injustice did not always stand outside the system as an anomaly waiting to be corrected. At times it was institutionalized by the system itself.

The right question is therefore not to choose once and for all between exception, necessity, error, or systemic fault. It is to ask what each narrative explains and what each makes harder to see.

The change in narrative can itself be conflictual. A public commission does not erase earlier interpretations; it places a new institutional conclusion beside or against them. Former officials may continue defending a decision while other institutions reclassify it. A presidential or congressional apology may be received by some as indispensable and by others as insufficient or unjustified. The new account gains force not because everyone agrees with it, but because it acquires public, legal, or documentary status that the older account can no longer simply ignore.

This is why institutional memory is a question of power. Whoever controls archives, legal categories, official reports, and conditions of access influences what can later be established. Correction may therefore consist less in imposing one authorized interpretation than in preventing one actor from retaining a monopoly over the evidence.

When an official narrative changes, several distinct things may happen. A commission may conclude that a past policy was unjustified. A president may apologize. A court may allow the publication of damaging documents. Congress may authorize compensation. Each alters the public status of the past, but not in the same way.

To reveal is to make information available that had previously been hidden or difficult to establish. To recognize is for an institution to accept that a wrong, injustice, or error occurred. To apologize is publicly to assume responsibility or regret. To repair is to accept a cost in response to damage. To transform is to change a rule, procedure, archive, or practice so that the institutional order is no longer identical to the one that enabled the wrong.

These are not steps on an automatic moral ladder. A revelation may be decisive even when compensation never follows. An apology can matter symbolically without creating a legal claim. Financial compensation can remain incomplete. A reform can later be weakened, circumvented, or repealed. The point of the distinction is to avoid a more dangerous confusion: taking correct language as proof of transformation. The practical test is harder. After recognition, what has become mandatory, repairable, archivable, reviewable, or more difficult to repeat?

This distinction also prevents the symbolic from being dismissed too quickly. Official words can matter when they make silent continuation of an older narrative more difficult. Their force becomes greater still when they are accompanied by a cost or a constraint the institution did not previously accept.

A final distinction is needed before turning to the Japanese American case. Correction can change the narrative without yet changing material conditions. A textbook revision, memorial, or public report changes public memory. A statute, recognized claim, compensation mechanism, or new legal right changes the institutional position of people. These levels can reinforce one another, but they should not be confused.

2. Japanese American Incarceration: From Claimed Necessity to Reparations

The incarceration of people of Japanese ancestry during World War II provides the chapter's most complete example because several stages of correction can be observed in the same case. During the war, the policy was defended in the language of security and military necessity. Emergency has particular force in such circumstances: the state claims that a grave danger requires exceptional measures and that uncertainty itself is a reason to act.

Decades later, the institutional narrative changed profoundly. The Commission on Wartime Relocation and Internment of Civilians concluded that the incarceration had not been justified by military necessity and attributed the policy substantially to racial prejudice, wartime hysteria, and a failure of political leadership. A policy once described as a security measure was officially reclassified as an injustice.[59]

That change already mattered. Public institutions did not merely say that wartime circumstances had been difficult; they reconsidered the quality of the justification itself. Necessity was no longer merely regrettable. It was rejected as an adequate explanation.

The case becomes stronger because the change did not remain purely discursive. The Civil Liberties Act of 1988 offered a formal apology, created individual redress payments of $20,000, and established a public education program. More than 82,000 people ultimately received compensation totaling more than $1.6 billion.[60][61]

The state was therefore not merely saying, "we now judge this policy to have been wrong." It accepted a financial obligation and created mechanisms to transmit the new official understanding of the past. Self-criticism became law, budget, administration, and public memory. This matters for the method of the book because an operative value can be observed partly through the constraints it creates. Once the wrong was recognized, government had to do things it would not have had to do had the older narrative of legitimate necessity remained intact: identify beneficiaries, process claims, pay compensation, preserve records, and support public education.

Repair, however, is not erasure. The legislation arrived more than forty years after the incarceration. An elderly survivor could receive compensation without recovering the years of confinement. A lost business, a forced relocation, a family rupture, or an injury to dignity cannot be converted fully into money. Delay is itself a limit. The cost accepted by government in 1988 was not equivalent to what rapid correction during the war would have changed. Late recognition can repair something for survivors and for public memory while arriving too late to alter many consequences already lived.

Eligibility also creates a boundary. Every institutional reparations program must decide who qualifies, under what conditions, and on the basis of what evidence. That administrative necessity can exclude people whose historical experience closely resembles that of recognized beneficiaries but whose legal status falls outside the categories adopted.

Japanese Latin Americans expose this limitation. Many were not covered on the same terms by the principal redress program and later received a separate settlement of $5,000.62 The case therefore shows both sides of strong repair. On one side, the response is not "merely symbolic" in any weak sense: it produces official recognition, financial cost, an administrative mechanism, and an infrastructure of memory. On the other, it remains partial, late, bounded by eligibility criteria, and incapable of making the harm reversible.

That limit does not make the repair unreal. A reparative act does not need to erase history in order to change the institutional relationship to history. It can make the older narrative harder to preserve as the unchallenged official version and turn a recognized wrong into an accepted obligation.

The useful test is therefore not whether the damage disappeared. It could not. The test is whether something verifiable changed because the state recognized the contradiction. In this case, the answer is yes.

The distinction also changes how self-criticism should be understood. An institution can examine itself voluntarily. It can also be forced to examine itself because other institutions or social actors possess enough independence to keep the contradiction alive. In the latter case, conflict is not a failure of self-correction. It is the mechanism through which correction occurs.

The Japanese American case shows a late correction in which institutions eventually reclassify their own past. The next cases show a different path: contradiction can become visible because actors outside the center of executive power refuse to let that power retain exclusive control over information and over the classification of events.

3. The Pentagon Papers and Watergate: Self-Correction Through Conflict

The previous example might suggest a relatively orderly story in which an institution eventually looks backward, recognizes its error, and repairs it. The Pentagon Papers and Watergate complicate that picture. Self-correction does not necessarily begin with a voluntary confession by those in power.

In 1971, the executive branch sought to prevent publication of classified documents relating to the Vietnam War. The challenge to the government's account came instead through a leak, newspapers willing to publish, lawyers, judges, and ultimately the Supreme Court. In New York Times Co. v. United States, the Court rejected the government's attempt to impose prior restraint.[63]

That decision did not mean every state secret must be made public. Nor did it guarantee that journalists will always interpret disclosed documents correctly. Its function was narrower and more important: the executive did not possess sole authority over the conditions under which its own narrative could be tested. Freedom of the press does not automatically produce truth. It protects a possibility of contradiction. That is already a major institutional function.

Revelation first changes the information environment. It can make an overly simple official account harder to sustain, allow journalists and researchers to reconstruct a sequence, and give political actors new evidence. But access to evidence does not decide its meaning for them.

That distinction protects the difference between transparency and truth. Making a document accessible increases the possibility of knowledge; it does not guarantee agreement about interpretation or guarantee the institutional correction that ought to follow. A democracy can therefore become more transparent about an event while remaining deeply divided over its moral significance.

The Pentagon Papers also clarify the difference between revelation and recognition. Publication can alter public understanding without causing government immediately to accept the interpretation offered by its critics. A document may become available while its meaning remains contested. A society can learn more without yet agreeing on what it has learned. The sequence therefore has to remain complete: initial narrative, revelation or contestation, possible recognition, then observable correction. The Pentagon Papers powerfully document the second moment. They do not prove that all the later stages necessarily followed.

Watergate shows another form of correction through conflict. It is often described as evidence that American institutions can correct themselves. That description is defensible only if it preserves what the phrase can easily erase: correction emerged through prolonged confrontation. Police investigation, journalism, litigation, a Senate committee, a special prosecutor, demands for presidential recordings, executive resistance, a Supreme Court decision, and an impeachment process all accumulated before Richard Nixon resigned in August 1974.[64]

The system therefore did not "decide" to correct itself in the way a person calmly admits a mistake. Actors with different powers fought over evidence, authority, secrecy, and responsibility. This distinction prevents self-correction from becoming a national psychological virtue. What can be observed is a set of mechanisms: a press capable of investigation, courts capable of ordering or refusing measures, Congress capable of investigating, procedures capable of reaching the executive itself, and actors autonomous enough to sustain a challenge despite resistance by the very power under scrutiny.

Those mechanisms did not guarantee the result in advance. They made the conflict possible.

Watergate also shows that institutional correction can concern memory itself. The Presidential Recordings and Materials Preservation Act of 1974 organized public preservation of presidential materials related to abuses of power. The archive became an infrastructure of accountability.[65]

That point matters because correction is often reduced to punishment of an individual official. A democracy can condemn an act and then lose the evidence needed to study it. Or it can preserve the records required for future citizens, scholars, journalists, courts, and public institutions to reconstruct the sequence. Archiving does not guarantee one correct interpretation. Records can be incomplete, some material can remain classified, and disagreement can continue. But availability reduces one actor's ability to become the sole author of the history of its own conduct.

This function connects the Pentagon Papers and Watergate without making them identical. In the first case, documents left executive control and publication received constitutional protection against prior restraint. In the second, several institutions forced a political crisis into the open, and preservation of presidential materials itself became an object of law. Their common point is not a vague national "honesty." It is institutional pluralism capable of producing contradiction.

That pluralism has limits. A free press can be wrong. Congress can act through partisan incentives. Courts can restrict or expand governmental powers in contested ways. A commission can issue a report that changes nothing. Archives can remain unread by most citizens. The existence of a mechanism does not guarantee successful correction.

But its absence would radically change the structure of power. If the executive controlled the documents, publication, investigation, and definition of its own responsibility, institutional self-correction would be much weaker. Self-correction therefore appears less as the virtue of rulers than as a conflictual capacity dependent on the existence of actors capable of resisting them.

This matters for the end of the book because an operative value may operate at different levels. A symbolic act can change public memory or the official archive without creating a budgetary or judicial obligation. Judgment must therefore concern what an act actually accomplishes, but also what it explicitly refuses to accomplish.

After reparations and revelation comes a third pattern: recognition whose legal consequences are deliberately limited. It prevents a false binary in which an apology must be either complete repair or empty communication. An institution can truly change its official language while refusing to open certain legal consequences.

4. Recognizing Without Transforming: Native Peoples and the Unfinished Promise

Recognition can be real and still legally contained. The federal apology to Native Peoples enacted in 2009 provides a particularly clear case. Congress acknowledged violence, mistreatment, neglect, and wrongful policies and expressed regret and apology. The language was not empty: a federal institution placed in law an acknowledgment that contradicted older justificatory or silent narratives. But the apology also contained an explicit legal limit. It was not to be interpreted as creating a new claim against the United States or as settling an existing claim. The distinction between speech and reparation was written into the measure itself.[6]6

The case blocks two opposite conclusions. To say that the apology meant nothing because it created no compensation would erase the institutional significance of formal recognition. To say that it amounted to reparation would erase the legal limit Congress expressly maintained. Self-criticism here had genuine symbolic and documentary force while its legal effect remained deliberately constrained.

This form of recognition connects to the narrative of the unfinished promise. A nation may look at a past injustice and argue that its deeper principles were not false, only too narrowly applied. That operation preserves liberty, equality, or democracy as normative references while acknowledging that American institutions excluded people to whom those principles could plausibly have applied.

The mechanism is not necessarily an evasion. Earlier chapters showed that American principles have in fact supplied resources for legal transformation: constitutional equality, civil rights, expansions of suffrage, and limits imposed on majorities. But the unfinished-promise story becomes misleading when it turns every correction into a natural stage of progress already contained in the founding. Expansion was often won against institutions, majorities, and narratives that also claimed to represent the American order. The new meaning of a principle was not simply waiting to emerge. It was contested, interpreted, imposed, and sometimes paid for by those challenging the older application.

At this point the idea of one national narrative has to be abandoned. At the same moment, a government can describe a policy as necessity while opponents describe it as injustice. A school curriculum can emphasize the progressive fulfillment of founding principles while family memory transmits the cost of their exclusion. A court can change the law without producing historical consensus. A commission can classify an act as a wrong while other actors continue defending it.

"The American narrative" is therefore only grammatical shorthand. The more precise question is: which narrative possesses which institutions capable of supporting it, contesting it, archiving it, or turning it into a rule?

A governmental narrative has state power behind it, but the press has protections of its own. A movement's memory may lack legal authority and still generate political pressure. A judicial interpretation can become binding. A commission may document the past without possessing the power to compensate anyone. Congress can turn recognition into an appropriation or, as in 2009, deliberately limit its legal consequences.

Competition among narratives is therefore an institutional structure, not merely a cultural disagreement. It helps explain why correction is often partial. One institution can recognize while another resists. A reform can be adopted and later narrowed. Consensus may never appear. An apology can survive in the official record without transforming all public practice.

The final safeguard is therefore to distinguish narrative coherence from lived coherence. A nation can describe a wrong accurately and still reproduce analogous problems. It can build a museum, a commission, or a ceremony while changing only a fraction of the material conditions involved. It can also fail to produce eloquent public self-criticism while altering a procedure in a way that genuinely makes repetition more difficult.

The beauty of confession is not the measure of correction. The observable test remains: after recognition, what became harder, mandatory, repairable, archivable, or reviewable?

The cases answer differently. Japanese American incarceration eventually produced apology, compensation, a public education program, and an official transformation of the narrative. The Pentagon Papers primarily demonstrate protection for a space in which an executive narrative could be challenged. Watergate shows correction through conflict among institutions and through preservation of records needed for public accountability. The Native Peoples apology produced real recognition while explicitly limiting legal consequences.

These differences prevent the conclusion that "the United States knows how to admit its wrongs," but they also prevent the opposite conclusion that American apologies are necessarily public relations. A capacity for self-criticism exists. It is uneven, conflictual, late in some cases, costly in others, sometimes principally symbolic and sometimes capable of changing law, archives, or reparative obligations.

It can also be reversible. A mechanism of oversight can be weakened. Archives can be neglected. Public memory can shift. A legal protection can be reinterpreted. A recognition once achieved does not guarantee that a contradiction has been permanently resolved. This may be the chapter's most important conclusion: self-correction is not an achieved state. It is a capacity that must be maintained.

Self-criticism matters less because of the elegance of an admission than because of the transformation it makes observable. The morality of a national narrative appears in what that narrative obliges institutions to change after the contradiction has been acknowledged.

The inverse counterexample also matters. A society can change a practice before it produces a morally satisfactory narrative explaining the change. The quality of self-criticism therefore cannot be measured by the elegance of public language alone. It depends on the relation among speech, law, cost, memory, and practice.

None of these forms guarantees lived coherence. A system can preserve evidence more effectively and implement a reform badly. It can acknowledge one historical injustice while producing another. It can protect the press while resisting what the press reveals. For that reason, the capacity for correction should never be turned into a moral identity. It remains an institutional possibility whose exercise is conflictual.

Observable correction can take at least four forms in the cases studied here: making evidence accessible; officially reclassifying an act; accepting a material cost of reparation; or changing the infrastructure through which future conduct can be reviewed. These forms may accumulate, as in the Japanese American case, or remain separated, as in the 2009 apology.

This test distinguishes institutional correction from mere appearance without claiming that only institutional change has value. Official language can make a memory publicly speakable and strengthen those who challenged the older narrative. But if that language changes neither access to evidence, rights, procedures, nor the possibility of seeking repair, its reach remains different from a transformation that alters the relationship between citizens and institutions.

The distinction also allows heterogeneous forms of correction to be compared without scoring them. Compensation and an archive answer different failures. Compensation acknowledges damage by accepting a material cost. An archive preserves the future ability to establish and debate facts. A free press or judicial review operates differently again: it may not repair the past at all, but it reduces the ability of power to monopolize the narrative in the present.

None of these effects can be added into one common score. They perform different functions. The chapter can ask only whether, after the contradiction, the institutional order remains exactly the same or whether something in the relation among power, evidence, victim, and memory has shifted in a verifiable way.

Correction also depends on continuity across institutional generations. A commission that documents a wrong, a statute that apologizes, or a law that preserves archives often speaks to citizens who were not the decision-makers when the original acts occurred. Responsibility is therefore not simply personal: a present institution can answer for acts committed by the institution in the past. This continuity explains how a state can recognize a historical wrong without claiming that every citizen alive today is personally guilty of it.

It also explains why archives and law matter so much. They allow an institution to preserve an obligation beyond the individual memory of those who participated in the events. Without documentary and legal continuity, every generation could treat the past as closed once the direct actors had disappeared. Institutional self-correction prevents time alone from dissolving every form of public responsibility.

That continuity finally protects an important distinction between public responsibility and inherited personal guilt. To say that a current state must answer for a past state decision is not to assign that decision morally to every living citizen. It means that institutions inheriting the rights, archives, assets, and authority of the state also inherit some of its obligations. Historical repair can therefore be discussed without turning an institutional map into a personal accusation against people who did not commit the acts.

Public obligation can survive the complete replacement of the original decision-makers.

The book can now return to all of its cases—not to construct a final pyramid of American values, but to ask which variables actually changed the tradeoffs and what this inquiry does, and does not, permit us to conclude.

CONCLUSION — THE MORALITY OF TRADEOFFS

A society can easily recite its values. It can write liberty, equality, merit, responsibility, family, security, innovation, democracy, or human rights into constitutions, speeches, commemorations, laws, and institutions. Those words matter. At times they generate enforceable rights, public expenditures, legal constraints, reforms, and reparations. But their presence alone does not tell us what a society protects when it can no longer protect everything at once.

This book began with that difficulty. It did not set out to prosecute the United States as a whole or to confirm a verdict written in advance. It followed situations in which several plausible values came into conflict, in which a rule had to define its subject, in which risk had to be distributed, or in which an institution had to decide who would bear the cost of a protection, an exclusion, a coercive act, or a correction.

What emerged was not a hidden American morality concealed behind official declarations. The result is more modest and more difficult: a set of strong presumptions, limits, conflicts, and mechanisms of correction whose force changes across institutions and circumstances.

1. What the Cases Actually Showed

The first recurring variable is the subject to whom a value applies. To say that everyone is equal is not enough until we know who counts within the circle of equals. To say that the people govern is not enough until we know who counts as a citizen, voter, resident, or protected person. The cases examined here showed real boundaries—some closed, some crossable, some altered by amendments, statutes, court decisions, and political struggle.

The existence of a boundary does not settle its legitimacy. A distinction may perform a genuine institutional function and still be morally contestable. An expansion may be real without being complete. Legal recognition may create a right without guaranteeing the material capacity to exercise it. The central point is simpler: the universality of a principle cannot be assessed without examining the concrete status of those to whom it is applied.

Cost is probably the variable that most clearly links domains that would otherwise remain separate. Following costs does not reduce morality to accounting. It does the opposite: it forces the analysis out of abstraction. Values become especially revealing when they require someone to bear a cost. A tradeoff becomes visible at the moment a principle encounters an identifiable cost-bearer.

That cost-bearer is not always the person or institution placed at the center of public debate. A rule may protect one beneficiary while imposing burdens on a less visible institution. A policy may appear inexpensive at the federal level while remaining costly for a household, business, locality, or region. Conversely, a highly visible burden on an organized actor can obscure a diffuse benefit received by millions of people. Tracking cost does not automatically give moral priority to whoever bears the greatest burden. It prevents some actors from disappearing from the judgment altogether.

The cases concerning work and merit made this visible in economic life. Hardship does not translate automatically into income or wealth. Dangerous, physically demanding, or unstable work can be poorly paid, while other forms of work can be far better compensated. That does not prove that markets ignore every form of merit. It does mean that market outcomes cannot be read directly as moral verdicts. Effort, scarcity, training, ownership, bargaining power, inherited resources, institutional rules, and timing can all contribute to the result.

The chapters on responsibility and solidarity revealed a different distribution. When a person faces illness, disability, caregiving, unemployment, or another form of vulnerability, the cost is rarely borne by a single actor. It may be divided among the individual, family, employer, insurer, charity, and public authority. A leave entitlement may exist legally while remaining materially difficult to use. A benefit may be justified by prior contribution, age, disability, need, or another status. The American system therefore does not express one unified morality of assistance.

The same structure becomes more severe in coercion. A police decision, detention, sentence, or restriction on self-defense does not abolish risk. It reallocates it. One person's security can become another person's constraint. Legitimacy therefore does not flow automatically from state authority, any more than it flows automatically from individual autonomy. It depends on the conditions under which threat, proportionality, procedure, status, and review make coercion defensible.

Innovation shifts costs in still other ways. A consumer can receive a cheaper or more useful product while a community bears pollution, a worker bears occupational risk, a company bears the cost of regulation, or a later generation receives a delayed environmental burden. Making these effects visible does not mechanically determine the correct policy. It prevents a benefit from being judged as though nobody paid for it.

Foreign policy extends the same problem across distance. A great power can accept major costs of its own while imposing far greater costs on populations that had no role in the decision. The Marshall Plan showed that values and national interests can converge in a policy with real benefits and real American expenditure. Chile and Saudi Arabia showed that democracy or human-rights commitments can become less decisive when they collide with strategic priorities. Iraq showed that one decision can contain several justifications, rest on imperfect information, produce consequences shaped by many actors, and later become an object of official reassessment.

These cases also required greater causal discipline. A result may have several real causes at once. Economic success can reflect work, education, ownership, scarcity, networks, and inherited resources without any single factor being fictitious. A personal hardship can reflect choice, vulnerability, structural conditions, and bad luck together. A foreign intervention can transform a political environment without eliminating the agency of local actors.

In each of these cases, a single-cause explanation would have been simpler and less faithful. The morality of tradeoffs therefore requires distinctions among causal responsibility, institutional responsibility, and moral responsibility. An actor may not have created a situation alone and still bear a special obligation because it possessed greater power, information, or capacity to act. Conversely, participating causally in a harmful sequence does not automatically make one actor solely responsible for everything that follows.

This is why contradiction between a declared value and an act does not prove deception by itself. The gap may result from a sincere conflict between values, limited information, error, a boundary of application, strategic calculation, retrospective rationalization, or deliberate dishonesty. These mechanisms are morally different. The method of this book has therefore repeatedly reconstructed the alternatives actually available at the time.

A decision cannot be judged only against a perfect option invented after the fact. The alternative to intervention is not always the absence of harm. The alternative to regulation is not always undiminished liberty. The alternative to protection is not always intact autonomy. Real decisions often distribute different forms of imperfect cost rather than choosing between cost and no cost.

Reversibility links the chapters on coercion, innovation, foreign policy, and self-correction. The easier it is to revise a decision without lasting damage, the more room institutions have to learn from error. The more a decision destroys a life, institution, opportunity, community, or environment in ways that cannot be restored, the stronger the case for heightened caution before acting.

This does not mean that irreversible decisions can never be justified. Governing sometimes requires them. It means they should not be treated as though later acknowledgment could always restore the prior situation. A wrongful economic loss may sometimes be compensated. An administrative decision can sometimes be reversed. A deprivation of liberty may leave consequences an acquittal cannot undo. Death, destruction, or mass displacement cannot be corrected by recognition alone.

Correctability therefore matters not only after the fact. It can be built into institutional design through appeals, review clauses, judicial oversight, transparency, limited experimentation, and procedures that make a decision revisable. None of these devices guarantees a good outcome. They can, however, reduce the cost of some mistakes and make responsibility easier to exercise.

The last chapter showed that correction itself has different forms. Revealing a contradiction is not the same as recognizing it. Recognizing it is not the same as apologizing. Apologizing is not the same as repairing. Repair does not erase the harm. A symbolic act can matter without creating a legal right. A formal apology can be genuine while deliberately limiting legal consequences. An investigation can alter institutional memory without transforming every practice. Reparations can impose a real public cost and still arrive too late to make the past reversible.

The cross-cutting result is therefore not that the United States is coherent or incoherent. Its operative morality becomes more visible in how institutions define the subject of a value, assign cost, allocate risk, justify exceptions, assess causation, choose among alternatives, and organize—or refuse—correction.

2. A Grammar of Tradeoffs, Not a Moral Pyramid

These recurring variables could easily be turned into a theory that is too neat. One might be tempted to say that liberty always dominates equality, security always dominates liberty, markets always dominate solidarity, or national interest always dominates human rights. The cases do not support such laws.

Liberty can limit an egalitarian policy and can itself be limited in the name of equality or security. Government by the people can be constrained by constitutional rules, courts, or voting protections that prevent a particular majority from deciding everything. Individual responsibility can be strongly affirmed while coexisting with social insurance, family protections, public benefits, and second-chance mechanisms. Innovation can be celebrated and then regulated when displaced costs become sufficiently visible. Abroad, the United States can support democratic reconstruction in one setting, pursue costly assistance in another, and maintain relations elsewhere with governments whose practices conflict with declared principles.

The word presumption is useful because it avoids two opposite mistakes. If liberty, equality, dignity, security, or responsibility were described merely as preferences, it would seem that they could be discarded without special justification. If they were treated as absolute principles, we could not explain the cases in which limiting them is legally and morally defensible. A presumption begins with argumentative weight: it counts unless a sufficiently strong reason justifies limiting it.

That initial weight is not identical across values or across domains. A constitutional right, a social program, a professional norm, and a diplomatic commitment do not occupy the same institutional level. This book does not need to place them on one scale in order to show that each can produce real constraints. The comparison concerns how values behave in a tradeoff, not whether they are commensurable.

It is therefore more precise to speak of competing presumptions. Some values begin with substantial force. They give direction to judgment and require those who would limit them to provide reasons. But they are not sovereign. Their force varies with the subject involved, the status at stake, the severity and probability of threat, the distribution of cost, the degree of causal control, the availability of alternatives, and the irreversibility of the consequences.

This grammar must not become a moral machine. It produces no score. It cannot convert a human cost, an economic benefit, a political liberty, and a security risk into one common unit. It does not say that the highest cost always wins or that the oldest principle always deserves priority. It offers more precise questions.

Who is the subject of the value? What status does that person or group possess? Who controls the cause of the problem? Who receives the benefit? Who bears the cost? Is that cost chosen, suffered, or imposed? What alternatives were realistically available? How much of the damage can be reversed? What procedure authorizes the decision? Who can challenge it? And when an institution acknowledges an error, what changes in fact?

These questions also force broad values into observable consequences. If an institution claims to protect family life, the analysis must look at time, job security, care costs, and access to leave. If it claims to respect democracy abroad, the revealing case is not the easy alliance but the moment when an electoral outcome collides with a strategic priority. If it claims to correct itself, the test is whether archives open, law changes, compensation is paid, procedures are altered, or only public language changes.

Elegant language is not proof of coherence. A declaration can announce a transformation, prepare one, conceal the absence of one, or remain without effect. The transition from words to acts has to be verified empirically.

This prevents several recurring confusions. It prevents rhetoric from being treated as action. It prevents intention from being confused with execution. It prevents an economic outcome from being read as direct proof of moral merit. It prevents symbolic recognition from being treated as complete repair. And it prevents a value from being dismissed as fictitious simply because it sometimes loses a tradeoff.

A value can be real and limited. That may be the most important conclusion of the book. The American ideals examined here are not merely decorative. They have generated constitutional amendments, court rulings, rights, social programs, constraints on public force, environmental policies, investigations, reparations, and institutional revisions. They have also been narrowed, subordinated, unequally applied, or defined differently for different subjects.

The fact that a value does not always prevail does not show that it never matters. The fact that it appears in law or public language does not show that it governs every decision.

Contradiction must therefore remain something to explain rather than a ready-made verdict. It may indeed be hypocrisy. It may also be a sincere conflict between commitments. It may reveal that some people were excluded from the circle to which a principle applied. It may arise from error, inadequate information, institutional fragmentation, historical change, or retrospective rationalization. The method does not absolve any of these possibilities. It refuses to select one before reconstructing the tradeoff.

3. What This Book Can Say—and the Question It Leaves Open

The material examined here supports several conclusions with reasonable confidence, but not one unified moral hierarchy. American values do not all possess the same institutional form. Some are deeply constitutionalized. Others operate mainly through statutes, programs, administrative rules, or political practices. Some can be invoked in court. Others have no equivalent mechanism of enforcement. Some protections apply broadly to persons within U.S. jurisdiction; others depend on citizenship, employment, prior contribution, age, disability, or another legal status.

To call a value operative therefore means only that it changes what an institution can do, must finance, must justify, or may be compelled to correct. It does not imply equal strength or uniform application.

The American values examined in this book are institutionally real. They have produced effects that cost something: limits on power, expansions of rights, public expenditures, regulatory constraints, social protections, reparations, and mechanisms of accountability. Reducing them to slogans would erase a substantial part of the history examined here.

They are not absolute. Their application depends on the subject, context, status, threat, available information, distribution of costs, causal structure, and alternatives. Some become weaker when they collide with an interest treated as more urgent. Others grow stronger historically, expand their circle of application, or generate corrections that earlier institutions would not have accepted.

It is therefore possible to speak of operative values without speaking of one unified American morality.

This book does not establish that "America" possesses one consciousness, one psychology, or one stable hierarchy of values. It does not justify extrapolating eight chapters to every episode of American history. The cases were selected because they expose structural tensions; they do not constitute a complete history of the country.

Nor does the book prove that the grammar of tradeoffs described here is uniquely American. Any society that protects several values can face conflicts among them. The American specificity lies in the material examined: its texts, institutions, history, forms of market organization, structures of solidarity, external power, and mechanisms of institutional self-correction. A comparative study might reveal different distributions. That would be another book.

This restraint does not weaken the inquiry. It defines its actual level of success. The purpose was not to discover a hidden national essence. It was to produce a more reliable map of tensions. If that map allows us to distinguish a sincere conflict from a rationalization, a limitation of a value from its absence, or reparations from symbolic recognition, it has already done useful work.

It also remains open to revision. Another historical period, population, institution, policy domain, or international comparison could alter some conclusions. The proposed grammar should therefore remain revisable by the very cases it is meant to help interpret. The conclusion should not claim more than the evidence supports.

It would be rhetorically satisfying to end by declaring that America's true value is liberty, the market, power, equality, or the capacity for self-correction. None of the chapters justifies that reduction. Each of these values is real. Each encounters limits. Each can be prioritized in one case and subordinated in another.

The morality of tradeoffs is therefore not one more value placed above the rest. It is the place where values become observable. When several legitimate commitments can no longer be satisfied at the same time, a society must decide which to protect more strongly, which to limit, who will bear the cost, what risks it is willing to impose, and what consequences it will later be willing to recognize or correct.

That is the point at which values leave the realm of proclamation and become acts, constraints, sacrifices, compromises, and sometimes repairs.

The final question is therefore not: What are America's true values?

It is harder:

When several legitimate values cannot all be protected at once, who counts, who decides, who pays—and what is a society actually willing to correct once it has seen the cost of its choice?

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A society reveals its operative values most clearly when it can no longer protect all of them at once.

The Great American Dissonance examines a series of conflicts at the heart of public life in the United States: freedom and equality, membership and exclusion, merit and solidarity, coercion and security, progress and cost, power abroad and correction at home.

Rather than asking whether America is simply good or bad, the book follows a harder question: when several legitimate values cannot all be protected at once, who counts, who decides, who pays - and what is a society actually willing to correct once it has seen the cost of its choice?

The result is not a moral verdict or a national psychology. It is a map of tradeoffs: the institutions, exceptions, costs, risks, narratives, and mechanisms of correction through which public values become observable.

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