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What is left of the American Dream ? Taking stock of America's « Broken » Society

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A black and white photograph of the American flag, showing the stars and stripes, is positioned on the left side of the cover, partially overlapping a dark vertical bar.

What is Left of the American Dream? Taking Stock of America's "Broken" Society

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Sous la direction de Monsieur
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Introduction

The American Dream has become an inherent part of American identity, a sort of national motto. Yet, due to the popularity of this article of faith, the meaning of the American Dream and what it encompasses is often taken for granted. Many people mistake the American Dream as being only about working hard to make it to the top and enjoying visible signs of material prosperity. However, the American Dream is as much about ideals as material gains. These ideals will be the primary focus of this document. The American Dream is a diverse set of dreams for many different dreamers. Thus, the list of incarnations of the ideals that will be discussed in this document is not exhaustive.

I decided to write about this topic after reading an article Frank Rich wrote in *New York Magazine* in 2018 on the 10th anniversary of the Great Recession. It is entitled “In 2008, America Stopped Believing in the American Dream.” The article starts with a positive description of the state of American society: no major terrorist attack since 9/11, a low unemployment rate, no massive American troops sent to war, the first African American President being ranked as the most admired person in America by the 2018 Gallup Poll. The picture Frank Rich draws is pleasant. Yet, he continues with a presentation of bleaker facts (a high suicide rate, near daily mass shootings, an opioid epidemic) before stating:

even our current run of ostensible prosperity and peace does not mitigate the one conviction that still unites all Americans: *Everything in the country is broken*. Not just Washington, which failed to prevent the financial catastrophe and has done little to protect us from the next, but also race relations, health care, education, institutional religion, law enforcement, the physical infrastructure, the news media, the bedrock virtues of civility and community.¹

This dark mood in a context of relative economic growth and a low unemployment rate was real – and is all the more so today since economic growth and unemployment is far from its

¹ Frank Rich, “In 2008, America Stopped Believing in the American Dream” *New York Magazine*. 5 Aug. 2018, online, Internet, 8 Apr. 2021. Available: <https://nymag.com/intelligencer/2018/08/frank-rich-2008-financial-crisis-end-of-american-dream.html>.

2018 level due to the mishandling of the Covid-19 pandemic. Yet, blaming this dark assessment on Donald Trump alone would be giving him too much credit and would be wrong on many levels. This feeling has been building up for a long time and Trump exploited this discontent. In 2015, when he announced his intention to run for president, he declared: “Sadly, the American Dream is dead”² – and he claimed to be the one that would revive it. I thus decided to take stock of America’s “broken” society through the lens of the American Dream. The challenges that the American Dream’s ideals face will be examined in this document to try to make sense of why the American Dream seems “dead” to many observers.

The first part of the document will state what the American Dream means. Its original definition will be examined, as well as the context in which it was coined. The element of subjectivity the term possesses and the way its meaning evolved since its creation will also be discussed. The American Dream encompasses many ideals, but four major ones will be focused on in this document: upward social mobility, equality (of rights and opportunity), freedom (from fear), and democracy. After defining the American Dream in this first part, I will examine the challenges it faces today.

The second part of this document will focus on the decline of social mobility and the rise of wealth inequality. These declining ideals have played a major role in shattering the American Dream in the eyes of many Americans. After World War Two and especially since the 1980s, free-market global capitalism has achieved dominance and spread the belief that it would benefit everyone. Yet, the 2008 economic crisis showed that clearly it did not. Many lost their jobs, homes, and savings, and the widely held belief that capitalism would end up benefiting everybody has been abandoned by many. Instead, it is increasingly apparent that unregulated capitalism has made the affluent greedier while the rest of the population spends more and yet earns as much as or less than they used to, thus racking up huge amounts of

² Donald Trump: “The American Dream is Dead”, 2015, online, Internet, 8 Apr. 2021. Available: <https://www.youtube.com/watch?v=a5pYa5cxLEo>.

debt. As unregulated capitalism was fully embraced between 1980 and 2021, three main changes occurred: the financialization of the economy, the powershift from Labor to Capital, and rising debt-fueled consumerism. Capitalism also invaded and disfigured sectors that serve the public good: healthcare and education. The ways in which profits have been prioritized and privatized over the general interest of society and the public sphere – thus increasing inequality of opportunity and blocking upward social mobility and fulfillment of the American Dream – will be examined in this part.

The third part of this document will examine racial inequality. Equality of rights and opportunity is central to the American Dream. Yet it has never been entirely achieved. African Americans and other racial minorities have been excluded from accessing the same opportunities open to white Americans by individual acts of racism, but also by American institutions, laws, and norms. Persistent structural racism and the ways in which it perpetuates racial exclusion will be examined in this part. Its denial and the table-turning claim that anti-white racism exists and is the real problem today will also receive attention.

The fourth part of this document will consider the illusion of the “freedom from fear.” Freedom is a core American value. The American Dream’s original definition points out the ability of the United States to be a land in which “life should be better, richer, and fuller.”³ Thus, to many Americans this life cannot exist without freedom. I chose to focus on one type of freedom – the fourth freedom defined by President Franklin Delano Roosevelt in 1941: the “freedom from fear” – because there is no “better, richer, and fuller” life if one has to live in constant fear. Since Roosevelt was referring to armaments when talking about the “freedom from fear,” the issue of gun violence and police violence will be studied. Yet more largely, two other aspects which bring fear to Americans or people wishing to join the United States

³ James Truslow Adams, *The Epic of America*. (Boston Massachusetts: Little, Brown, and Co., 1931), p.404.

today will be looked at: never-ending economic insecurity and hostile immigration policies under former President Donald Trump.

The fifth and last part of this document will look at the challenges that American democracy is facing. The American Dream is a dream of being an empowered citizen, who can shape one's own destiny and thus the destiny of the country. Therefore, democracy is an inherent part of the American Dream. The ways in which democracy is challenged today will be investigated: starting from the Electoral College, to the decline of labor unions, and the vicious cycle of the concentration of wealth and power, to the return of populism and fascism.

This document tackles a vast array of issues. It can be read as a book with different stories, a newspaper with different opinion articles, or it can be read as a sequential narrative whole. No matter how it is read, I hope it can help readers to connect the dots between issues that may seem distant but that are in fact interrelated. Moreover, I hope this document can underscore the importance of major issues the US is facing now and why it should matter to both Americans and the world. The American Dream has inspired many people globally and America has been considered a model to many nations. Thus, when America fails to lead by a positive example, it has consequences not only for its own people and environment but for the entire planet.

I. Defining the American Dream over Time

A. Defining the American Dream

The term “American Dream” was first coined by James Truslow Adams in his 1931 book *The Epic of America*. It was a book about the history of the United States for general readers. Even though the term “American Dream” was coined only in the 20th century, Adams explains that it was present from the country’s very beginning. It can even be linked first to the Pilgrims who fled religious persecution to establish a destiny for themselves; then to the founding fathers who shaped their own future and that of many others by leading the war of independence and building the framework of the US government; and finally, to all immigrants who fled their country of origin to start a new life in America.

James Truslow Adams defines it this way:

The American Dream, that dream of a land in which life should be better, richer, and fuller for every man, with opportunity for each according to his ability or achievement.⁴

There are several key words in this definition. First, the words “better, richer, and fuller” describe a life of fulfillment. They echo the right in the Declaration of Independence to the “pursuit of Happiness” in that these are abstract ways of defining a good, fulfilled life. Most importantly, it means that it will not signify the same thing for everybody. Secondly, “opportunity” points to the belief that America is a land of enterprising projects like no other, where one can achieve upward social mobility. This belief has been strong from the start of the US when people were ready to live in harsh conditions to be able to take advantage of the opportunities America had to offer and it is still true today, pushing many people to migrate to the US. Thirdly, two other key words are “for every man” and “for each” which means that the American Dream is a

⁴ Adams, *The Epic of America*, p.404.

dream of equality. Everything America has to offer should be offered to everybody equally. Fourthly, “according to his ability or achievement” means that one is the agent of one’s future. The American Dream is a dream of being an empowered citizen, of being free to shape one’s destiny. Finally, the word “dream” is significant. It means that it is not real, especially at the time Adams was writing, yet it *can* become reality. The term American Dream was coined in 1931, in a time of extreme hardship: The Great Depression. The daily reality was grim: “opportunity” was scarce with a high unemployment rate; life was not “better, richer, and fuller,” many lost their savings, their jobs, their homes, and were heavily in debt. Besides economic inequality and low social mobility, political inequality was also high due to the Jim Crow Laws. By creating this term, Adams may have wanted to encourage future aspirations by recounting a past triumph. Convincing Americans that their country was unique in the opportunities it offered could have been a way to incite Americans to dream and act again, be the agent of their destiny, and fight back against a worldwide economic crisis.

One might wonder if Adams was addressing nonwhites too. I would argue that he was not. Although he does not say that people of color are to stay excluded from the American Dream, he omits them from a list of immigrants. When talking about the presence of the American Dream from the foundation of the United States, he writes:

If a distinction had developed between rich and poor, nevertheless even the poor were better off, freer and more independent than they had been in Europe. Above all, they had glimpsed the American Dream. English, Irish, Scotch, Germans *all who had come to our shores* had come to find security and self-expression.⁵

Adams, who was an historian, fails to mention that not everybody came to the US willingly, and that far from finding security and self-expression, black people found themselves enslaved. Later in the book, he also seems to have a negative opinion about the reconstruction

⁵ Adams, *The Epic of America*, p.68.

amendments, saying that after the 14th Amendment, the “Congress continued its mad course” which led to Northern “carpetbaggers,” Southern “riffraff,” and “utterly ignorant negroes” to “form parties, elect the legislature and st[ea]l with the complete abandon of Boss Tweed and his gang in New York.”⁶ While he writes that the American Dream is about providing an “opportunity for each,” he seems to think that African Americans are not legitimate seekers to have the opportunity to shape the destiny of their city and country through suffrage. He also seems to find a difference between black people and other immigrants. When talking about immigration in the 19th century, he writes:

This later demand for cheap white labor left us with another racial problem, although one somewhat less serious since, after a generation or two, these people can be absorbed, whereas the negro cannot.⁷

He seems to think that black people are a special insoluble and therefore unsolvable problem. If that was truly his view, then Adams clearly did not imagine nonwhites to be part of the American Dream.

Yet, the American Dream’s meaning has changed over time and is not confined by Adams’s exclusionary vision. A “better, richer, and fuller” life can mean different things to people of varied backgrounds, and a “dream” can be interpreted differently and can inspire people in different ways depending on them and the period they live in.

B. The Evolution of its Meaning

This open-ended subjectivity is one of the reasons why the American Dream’s meaning has changed over time. The term American Dream was coined to represent a set of ideals which should be a model for American citizens and for the whole world. In his book, James Truslow Adams encourages people to keep on learning, to be bright and cultivated individuals, and to be the agent of their future. Thus, the term was first used in advertisements

⁶ Adams, *The Epic of America*, p.286.

⁷ Ibid, p.315.

for intellectual products such as books, plays, or church sermons in the 1930s and 1940s.⁸ After defeating fascism in World War II, the term American Dream was very much about freedom, notably “freedom from fear” and from regimentation. The American Dream then began to be popularized in the 1960s with Martin Luther King’s “I Have a Dream” speech in 1963, in which he explained his vision that was “a dream deeply rooted in the American Dream.”⁹ His dream was about greater social justice and community spirit thanks to greater economic and political equality. He wanted the American Dream to be extended to include African Americans. Thus, the ideals embodied in the American Dream were equality of rights and opportunity, democracy, community, and upward social mobility. However, as the term became popularized, its connection with these ideals weakened. In the 1970s and 1980s, home builders were using the term American Dream in their advertisements, “perhaps to make conspicuous consumption seem patriotic.”¹⁰ The increasing use of the term American Dream in advertising had two consequences: an increase in its association with mass consumerism as well as with homeownership. This growing dream of homeownership will later become public policy with President George W. Bush signing the American Dream Downpayment Initiative in 2003. This program subsidized home purchases by creating grants for low-income people to help them with down payments and closing costs – later on, contributing to the 2008 financial crisis. As a result, today, many assume that the American Dream is only about social mobility and material prosperity. This simplification has been conveyed by advertising, mass media, and was carried on by members of former governments. The latest example was Ben Carson, the United States Secretary of Housing and Urban Development during Trump’s

⁸ Robert J. Shiller, “The Transformation of the ‘American Dream’” *The New York Times*. 4 Aug. 2017, sec. The Upshot, online, Internet, 6 Apr. 2021. Available: <https://www.nytimes.com/2017/08/04/upshot/the-transformation-of-the-american-dream.html>.

⁹ Martin Luther King, “I Have a Dream,” 1963, online, Internet, 17 Mar. 2020. Available: <https://kinginstitute.stanford.edu/king-papers/documents/i-have-dream-address-delivered-march-washington-jobs-and-freedom>.

¹⁰ Shiller, “The Transformation of the ‘American Dream.’”

mandate, who said in a speech at the National Housing Conference on June 9th, 2017: “I worry that millennials may become a lost generation for homeownership, excluded from the American Dream.”¹¹ Yet, this is not what Adams meant when he coined the term American Dream. The American Dream is not only about material prosperity, but about ideals. He writes:

It is not a dream of motor cars and high wages merely, but a dream of a social order in which each man and each woman shall be able to attain to the fullest stature of which they are innately capable, and be recognized by others for what they are, regardless of the fortuitous circumstances of birth or position.¹²

The American Dream *does* include social mobility; yet this does not translate itself into material prosperity only. The term American Dream is so popularized today that its meaning is often taken for granted, which “today appears to mean that in the US anything is possible if you want it bad enough.”¹³ Yet, as discussed earlier it includes so much more. The American Dream has come to embody a plurality of dreams among which four will be focused on in this document: social mobility, equality (of rights and opportunities), freedom (from fear), and democracy.

In a period of high inequality low social mobility, a failure to provide “freedom from fear,” and a handicapped democracy, the American Dream and its “better, richer, and fuller” life can seem unreachable for many Americans.

¹¹ Ibid.

¹² Adams, *The Epic of America*, p.404.

¹³ Jim Cullen, *The American Dream: A Short History of an Idea that Shaped a Nation*, (Oxford: Oxford University Press, 2003), p.5.

II. Profits First: The Decline of Social Mobility and the Rise of Wealth Inequality

A. Social Mobility and Inequality in Numbers

Social mobility has been decreasing across every social class in America since the 1940s, while inequality has risen, thereby failing to provide to “each” the “opportunity” and the “better” life characteristics of the American Dream. A study based on millions of tax records created a data set that shows the percentage of American children who earn more money than their parents earned at the same age. In the 1940s, the economy was growing fast, and the distribution of wealth gains across income quintiles was fairly even. Among the 1940s babies, 92% earned more than their parents did at the same age.¹⁴ The few 1940 children earning less than their parents were for the most part doing well and were generally earning less because their parents were rich.¹⁵ When the oldest baby boomers entered the job market in the 1970s, economic growth was slowing down due to the energy crisis. However, more than three quarters of them would still earn more than their parents. In the 1980s, economic inequality began to rise. Only half of the babies born in the 1980s made as much as their parents did.¹⁶ This decrease was not due merely to slower economic growth, but to unequal distribution of wealth. Today, the American economy is more productive than it was in the 1980s, even though it is not growing as fast. Per-capita G.D.P is much higher now.¹⁷ This increase should allow children to live better than their parents, but many do not because of the unequal distribution of wealth. Chetty *et al* did two simulations to prove their point. In the first

¹⁴ Raj Chetty et al., *The Fading American Dream: Trends in Absolute Income Mobility Since 1940*, (National Bureau of Economic Research, December 2, 2016), online, Internet, 26 Jan. 2021. p.9, Available: <https://opportunityinsights.org/paper/the-fading-american-dream/>.

¹⁵ David Leonhardt, “The American Dream, Quantified at Last” *The New York Times*. 8 Dec. 2016, sec. Opinion, online, Internet, 26 Jan. 2021. Available: <https://www.nytimes.com/2016/12/08/opinion/the-american-dream-quantified-at-last.html>.

¹⁶ Chetty et al., “The Fading American Dream,” p.9.

¹⁷ Per-capita G.D.P was of 12,274.792 in 1980, of 36,334.909 in 2000 (when 1980s baby began to enter the job market,) and was of 62,794.586 in 2018. “GDP per capita (current US\$) - United States | Data,” n.d., online, Internet, 23 Mar. 2020. Available: <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=US>.

one, they recreated the last decades with the same G.D.P. growth but without the post-1970 rise in inequality. Then the number of 1980 babies who out-earn their parents went from 50% to 80%. In the second simulation, they kept inequalities but imagined that growth returned to its faster path. The rise was much smaller: from 50% to 62%.¹⁸

The extreme economic inequality of the past forty years is a major impediment to social mobility and is also contrary to the American Dream itself. James Truslow Adams insisted on the fact that the realization of the American Dream should be “for every man,” “for each.” However, it is not the case since economic inequality has risen, with both the income gap and the wealth gap continuously widening. The richest households have experienced a larger gain in income than other social groups. According to the Economic Policy Institute (EPI), from 1979 to 2018, the top 1% experienced a growth in real annual wages of 157.8%. Even more considerable, the top 0.1% more than doubled that wage growth, up by 340.7% from 1979. In contrast, the bottom 90% saw their wages grow by only 23.9%.¹⁹ Wage growth has a significant impact on perpetuating the wealth gap, as the bottom 90% is primarily reliant on wages. This unequal wage growth led to a reversal: the middle-class no longer owns the biggest share of US aggregate income, the upper-class does. This represents a major change as only 19% of American adults live in upper-class households whereas, the majority of the population, 52%, live in middle-class families.²⁰

¹⁸ Chetty et al., “The Fading American Dream,” p.3.

¹⁹ Lawrence Mishel and Melat Kassa, “Top 1.0% of earners see wages up 157.8% since 1979” *Economic Policy Institute*, online, Internet, 27 Jan. 2021. Available: <https://www.epi.org/blog/top-1-0-of-earners-see-wages-up-157-8-since-1979/>.

²⁰ Rakesh Kochhar, *The American Middle Class is Stable in Size, but Losing Ground Financially to Upper-Income Families*, (Pew Research Center, 2018), online, Internet, 26 Jan. 2021. Available: <https://www.pewresearch.org/fact-tank/2018/09/06/the-american-middle-class-is-stable-in-size-but-losing-ground-financially-to-upper-income-families/>.

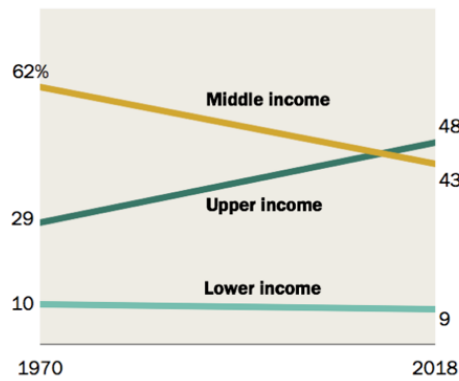


Figure 1: Share of U.S Aggregate Income from 1970 to 2018

Source: “Trends in U.S. Income and Wealth Inequality” *Pew Research Center*. 9 Jan. 2020, online, Internet, 26 Jan. 2021. Available: <https://www.pewsocialtrends.org/2020/01/09/trends-in-income-and-wealth-inequality/>.

Not only is income inequality rising in the US, but it is also larger than in other advanced economies, with the US ranking first among the G7 countries.

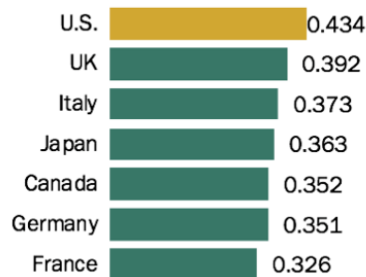


Figure 2: Comparison of Income Inequality across G7 Countries

Notes: This chart is based on the Gini coefficient, ranking from 0 (perfect equality) to 1 (complete inequality.)

Source: “Trends in U.S. Income and Wealth Inequality” *Pew Research Center*. 9 Jan. 2020, online, Internet, 26 Jan. 2021. Available: <https://www.pewsocialtrends.org/2020/01/09/trends-in-income-and-wealth-inequality/>.

Less surprisingly, the upper-class owns the biggest share of US aggregate wealth. The top 1% alone owns about sixteen times more wealth than the bottom 50% combined and owns roughly as much as the bottom 90%.²¹ A very small portion of individuals possesses most of

²¹ In 2020, the top 1 owned 30,8 % of the share of US aggregate wealth that is to say \$34,69 T, the 90-99% possessed 38, 4% (\$43,28 T), the 50-90% owned 29% (\$32,67 T) and the bottom 50% had 1,9% (\$2,25 T.) Board of Governors of the Federal Reserve System, *Distribution of Household Wealth in the U.S. since 1989*, Survey of Consumer Finances and Financial Accounts of the United States (The Federal Reserve, n.d.), online, Internet, 26 Jan. 2021. Available:

the wealth in the US. According to the Institute for Policy Studies, three men (Jeff Bezos, Bill Gates, and Warren Buffett) own as much as the bottom 50% of Americans.²² This is precisely what James Truslow Adams pointed out as contrary to the American Dream:

A system that steadily increases the gulf between the ordinary man and the super-rich, that permits the resources of society to be gathered into personal fortunes that afford their owners millions of income a year, with only the chance that here and there a few may be moved to confer some of their surplus upon the public in ways chosen wholly by themselves, is assuredly a wasteful and unjust system. It is perhaps as inimical as anything could be to the American Dream.²³

The top 1%, but more generally, the upper-class households are the only ones who recovered from the Great Recession since with high income from investments they are less reliant on home equity and salaries. From 2001 to 2016, the upper-class families increased their median net worth by 33%, whereas middle-class households experienced a loss of 20% and lower-class households 45%.²⁴

Some factors have accentuated inequality such as a redesigned economy which severely hurts workers – especially low skilled workers. Since the 1980s, capitalism has had various impacts on society including the financialization of the economy, more globalization, consumerism; and it has also invaded social sectors such as healthcare and education, widening the gap between the richest citizens and everybody else. US wealth inequality is such that it threatens the American Dream ideals of equality of opportunity and social mobility as the wealthier people tend to sabotage the “opportunit[ies]” of the less affluent in order to maximize their personal gains.

<https://www.federalreserve.gov/releases/z1/dataviz/dfa/distribute/chart/#quarter:0;series:Net%20worth;demographic:networth;population:1,3,5,7;units:shares;range:2005.2,2020.2>.

²² Chuck Collins, Omar Ocampo, and Sophia Paslaski, *Billionaire Bonanza 2020: Wealth Windfalls, Tumbling Taxes, and Pandemic Profiteers*, (Institute for Policies Studies, 2020), Available: <https://ips-dc.org/wp-content/uploads/2020/04/Billionaire-Bonanza-2020.pdf>.

²³ Adam, *The Epic of America*, p.414.

²⁴ Horowitz, Igielnik, and Kochhar, “Trends in U.S. Income and Wealth Inequality.”

B. A Redesigned Economy

1. The Financialization of the Economy

The term “financialization” describes a trend which dates from the 1980s in which investment banking became of prime importance to the workings of the economy.²⁵ This trend contrasted significantly with the post-war economy which was driven by industrial production and the trade of goods and did not primarily rely on sophisticated financial products as is the case today. Research has shown that financialization leads to deeper inequality, slower growth, and higher unemployment. Thus, it challenges the American Dream ideal of equality and makes upward social mobility harder to experience for many.

Financialization was accelerated by financial deregulations during Ronald Reagan’s presidency and continued during Bill Clinton’s presidency. As the New Deal regulations were dismantled, the finance sector grew, and the emphasis switched from making things to making money from money. The finance industry rose from 11% of GDP in 1950 to 21% in 2010, while the manufacturing sector fell from 28% to 11%.²⁶ Corporate profits from the financial sector have kept on rising, totaling 20% of all corporate profits at the end of 2019 against 14.5% for manufacturing in the same year.²⁷ However, the financial industry employs relatively few people, half that of the manufacturing sector, and that has barely changed despite its growing share of GDP and corporate profits (as illustrated in the following figure).

²⁵ Gerald F. Davis and Suntae Kim, “Financialization of the Economy,” *Annual Review of Sociology*. 41.1 (2015): 203–221.

²⁶ Noam Chomsky, *Requiem for the American Dream*, Documentary, 2015, online, Internet, 21 Jun. 2020. Available: <https://www.youtube.com/watch?v=wp6Rbgv1MLg>.

²⁷ “Table 6.16D. Corporate Profits by Industry” *US Bureau of Economic Analysis*, 28 Jan. 2021, online, Internet, 1 Feb. 2021. Available: <https://apps.bea.gov/iTable/iTable.cfm?reqid=19&step=3&isuri=1&1921=survey&1903=239#reqid=19&step=3&isuri=1&1921=survey&1903=239>.

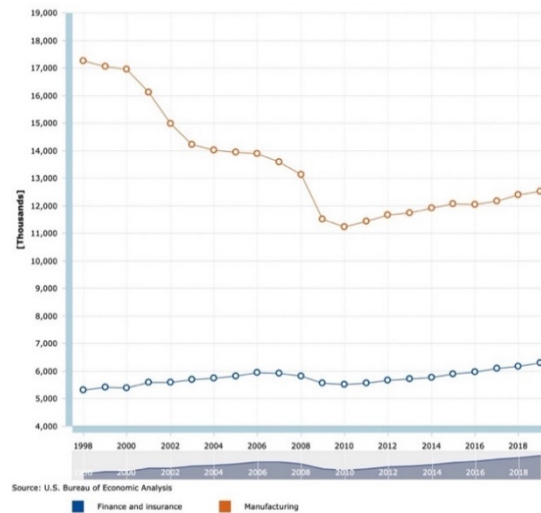


Figure 3: Full-Time Equivalent Employees by Industry

Source: “Table 6.16D. Corporate Profits by Industry” *US Bureau of Economic Analysis*. 28 Jan. 2021, online, Internet, 1 Feb. 2021. Available:

<https://apps.bea.gov/iTable/iTable.cfm?reqid=19&step=3&isuri=1&1921=survey&1903=239#reqid=19&step=3&isuri=1&1921=survey&1903=239>.

Moreover, the financialization of the economy is partly responsible for the decline in employment in the manufacturing industry. The financial services sector, whose primary goal was to advise companies on where to invest their money to maximize their growth, is now looking for quick financial returns instead of the long-term achievement of corporate growth and corporate-community partnerships. As a result, the finance sector has stopped its commitment to investment and innovation in domestic production that could benefit all American workers within the US economy and focused primarily on moving money around to benefit investors.

Not only does the financial industry invest less in long-term manufacturing goals that could be beneficial to workers, but there is also an increasing engagement in financial activities from non-financial firms. Non-financial corporations went from an estimate of 28% of total investments in financial instruments before 1980 to fully half by 2000.²⁸ The most striking example is General Electric which switched its focus from producing products to

²⁸ Donald Tomaskovic-Devey and Ken-Hou Lin, “Financialization: Causes, Inequality Consequences, and Policy Implications” *North Carolina Banking Institute*. 18 (2013): 29, p.180.

money management in recent decades. At its peak, GE Capital (the company's financial services firm) accounted for over half of GE's profits and its total assets went from \$371 billion in 2001 to nearly \$700 billion in 2008.²⁹ This shift to financial services has had several consequences: it has reduced the bargaining power of labor unions and the centrality of production, and has led to lower employment, increased inequality among workers, and income transfers to executives and capital owners.³⁰

The financialization of the economy widens the wealth and income gaps. Workers' wages stagnate because of non-financial firms investing in financial assets instead of production and because shareholder-oriented firms are obsessed with reducing labor costs leading to stagnant wages, but also to the decline of defined benefit pension plans, and reduced retiree health benefits. While workers' wages stagnate, wages in the finance sector rise. In 2008, employees in investment banking and securities industries in Manhattan earned six times more than the average Manhattan worker and twenty times more than the average workers in the US.³¹ Stagnant wages also mean that wealth increasingly comes from assets. According to the Congressional Budget Office, in 2017, capital income made up only 2%-3% of total market income for households in each of the bottom four quintiles, against 17% of total income for households in the highest quintile, and 36% for those in the top 1%.³² This is due to the fact that the distribution of financial assets has become increasingly unequal. Between 1989 and 2016, the average value of family financial assets has risen by only 15% for the bottom quintile, against 230% for the top decile.³³ Researchers calculated that the top

²⁹ "The Pitfalls of the 'Financialization' of American Business," *Knowledge@Wharton*, 28 Jun. 2016, online, Internet, 2 Feb. 2021. Available: <https://knowledge.wharton.upenn.edu/article/pitfalls-financialization-american-business/>.

³⁰ Tomaskovic-Devey and Lin, "Financialization: Causes, Inequality Consequences, and Policy Implications," p.167.

³¹ Davis and Kim, "Financialization of the Economy," pp.19-20.

³² *The Distribution of Household Income, 2017*, (Congressional Budget Office, October 2020), online, Internet, 2 Feb. 2021. Available: <https://www.cbo.gov/publication/56575>.

³³ Sarah A Donovan et al., *The U.S. Income Distribution: Trends and Issues*, (Congressional Research Service, January 13, 2021), p.36.

10% alone owns 84% of all Wall Street portfolio value.³⁴ It means that those who have extra money to invest can enjoy seeing a return on their investment, while those who cannot join such markets are shut out from that method of wealth creation. This discrepancy also explains why the middle-class – mostly dependent on monthly income from selling their labor – was still relatively weak after the 2008 crisis. The average middle-class family’s net worth in 2020 is still more than \$40,000 below where it was in 2007.³⁵

Financialization has increased inequality and made upward social mobility harder to experience as it led to stagnant wages and low employment for those outside the finance industry while yielding large profits for those able to participate in this industry. It also put an end to aspirations that are characteristic of the American Dream. The dream of getting rich from your day job (or as Adams put it, from your own “ability or achievement”) was considerably damaged as one now increasingly must rely on assets to “get ahead.” The 2008 crisis also crushed another dream: the idea that owning a house was always a good thing. The idea was that if you suffered from a financial setback, you could always easily sell your house or temporarily borrow against its value. However, as mortgages were being sold like hotcakes to homeowners, a bubble grew and when the bubble burst, home values tumbled, and debts became overwhelming, and foreclosures multiplied.

The unregulated gamble of predatory lending that led to the Great Recession had a worldwide and disastrous impact, yet the people responsible were barely punished. This impunity suggests that things will go on the same way. Especially since companies such as Siemens, JP Morgan, Rolls Royce, and Johnson & Johnson paying lobbyists and lawyers

³⁴ Robert Gebeloff, “Who Owns Stocks? Explaining the Rise in Inequality During the Pandemic” *The New York Times*, 26 Jan. 2021, sec. The Upshot, online, Internet, 2 Feb. 2021. Available: <https://www.nytimes.com/2021/01/26/upshot/stocks-pandemic-inequality.html>.

³⁵ Nelson D. Schwartz, “The Recovery Threw the Middle-Class Dream Under a Benz” *The New York Times*, 12 Sep. 2018, sec. Business, online, Internet, 2 Feb. 2021. Available: <https://www.nytimes.com/2018/09/12/business/middle-class-financial-crisis.html>.

billions to stop proceedings for alleged wrongdoing has become commonplace.³⁶ Moreover, as Rana Foroohar points out in her book *Makers and Takers* (2016), a quarter of American graduate students earn a master's degree in business, more than the combined share in the legal, health, and computer science fields. She explains that this "misallocation" of talent has significant consequences for the US ability to generate growth and innovation.³⁷ It also means that financialization is likely to continue, leading to high inequality, high unemployment rates and stagnant wages, challenging the American Dream's ideals of equality of opportunity and upward social mobility through one's hard work.

2. Globalization, Capitalism, Technology: The Power Shift from Labor to Capital

Financialization is not the only change in the US economy in the postwar era which challenges the American Dream's ideals of social mobility and equality. The sharp power shift from Labor to Capital is another one. The winner-takes-most economy has led to deep inequality and has made the path to social mobility harder to achieve, as job insecurity has become the norm. Globalization, capitalism, and technology are often blamed for that.

In a speech before the US senate in 1997, Alan Greenspan, then chair of the Federal Reserve, explained that the slower increase in wages was "the consequence of greater worker insecurity."³⁸ His analysis was based on a survey which indicated that workers in large firms were increasingly afraid of being laid off. In 1996, the unemployment rate was going down slowly after reaching a peak at 7.5 % in 1992 but was still at 5.4%.³⁹ Despite a lower

³⁶ John Kay, "Personal Liability is the Means of Deterring Repeat Offences of Corporate Crime" *John Kay*, 21 Jan. 2017, online, Internet, 2 Feb. 2021. Available: <https://www.johnkay.com/2017/01/21/personal-liability-means-deterring-repeat-offences-corporate-crime/>.

³⁷ "The Pitfalls of the 'Financialization' of American Business."

³⁸ "Testimony of Chairman Alan Greenspan before the Committee on Banking, Housing, and Urban Affairs, U.S. Senate" *Federal Reserve Board*, 26 Feb. 1997, online, Internet, 5 Feb. 2021. Available: <https://www.federalreserve.gov/boarddocs/hh/1997/february/testimony.htm>.

³⁹ "US: Annual Unemployment Rate 1990-2018" *Statista*, online, Internet, 5 Feb. 2021. Available: <https://www.statista.com/statistics/193290/unemployment-rate-in-the-usa-since-1990/>.

unemployment rate in 1996, 46% of the people questioned feared to be laid off against 25% in 1991 when the unemployment rate was higher.⁴⁰ This fear is triggered not only by the fact that being fired can represent a considerable loss of revenue – and of health insurance, but also by the suspicion that redundant employees are not likely to find as good a job as what they lost. Their fear is justified: people who lost their job are increasingly re-employed in part-time jobs. In 2000, people being re-employed in part-time jobs represented one in seven people; in 2010, it was one in four. Even workers who found new full-time jobs tend to earn about 17% less than they would have had they not lost their jobs.⁴¹ In addition, the longer someone stays unemployed, the harder it is to find a job. According to a Brookings Institution analysis, for those who lost their job during the Great Recession, the odds of finding a new full-time job were one in five at the outset, one in ten after seven months, and one in seventeen after two years.⁴² This feeling of job insecurity was nourished by a high unemployment rate at the beginning of the 1990s, which ultimately stabilized around 5%, until hitting a new peak following the Great Recession at 9.6% in 2010.⁴³ It was also the result of a considerable job loss in manufacturing. Between 2000 and 2014, the manufacturing industry lost about five million jobs. This has often been blamed on globalization. After the Asian financial crisis of 1997-8, the US manufacturing trade deficit rose sharply, peaking at \$558.5 billion in 2005.⁴⁴ Other people blamed job insecurity and job loss on automation.

However, as Robert Kuttner argues in his book *Can Democracy Survive Global Capitalism?* (2018), job losses in manufacturing are not to be blamed on globalization,

⁴⁰ “Testimony of Chairman Alan Greenspan.”

⁴¹ Jacob S. Hacker, *The Great Risk Shift: The New Economic Insecurity and the Decline of the American Dream*, Expanded and fully revised second edition, (New York: Oxford University Press, 2019), p.60.

⁴² Ibid, p.63.

⁴³ “US: Annual Unemployment Rate, 1990-2018.”

⁴⁴ Robert E. Scott, “Manufacturing Job Loss: Trade, Not Productivity, Is the Culprit” *Economic Policy Institute*, 11 Aug. 2015, online, Internet, 5 Feb. 2021. Available: <https://www.epi.org/publication/manufacturing-job-loss-trade-not-productivity-is-the-culprit/>.

capitalism, and technology only. They were the results of *laissez-faire* deregulatory policies.

He writes:

Domestically, we do not allow child labor, or unsafe labor, or labor that pays less than a minimum wage [...] To allow the fruits of such labor to enter via the back door of trade was a conscious political choice by elites.⁴⁵

Taking the example of China, the first President Bush vetoed two trade bills that approved China's access to the US market provided they showed progress on human rights. Bill Clinton supported those bills, however, when he was elected, he persuaded Congress not to write this requirement into a law. Instead, he passed an executive order which was to deny benefits to China if no progress on human rights and market opening was noticeable. When the deadline arrived in 1994, little had changed. However, instead of imposing penalties, President Clinton revoked his own order. In 2000, China was granted "permanent normal trade relations." This is the kind of political choice Kuttner opposes. Moreover, high unemployment rates were blamed on labor market "rigidities" such as minimum-wage laws and unions which according to *laissez faire* economists gave Labor too much bargaining power to price itself above its "market-clearing" wage.⁴⁶ According to them, this resulted in an "inefficient" labor market and inflation. As a result, many national labor protections were dismantled. This reinforced the power shift from Labor to Capital. The winners were American multinational companies which enjoyed offshore manufacturing at low prices and bankers who got to deal with China, which became America's largest creditor.⁴⁷ As a result, US manufacturing declined, jobs were lost, and wages were dragged down because of increasing competition. Yet, it is difficult to blame only outsourcing and automation. Other countries met the same changes without the same decline in manufacturing. Germany has some of the world's highest-paid workers and

⁴⁵ Robert Kuttner, *Can Democracy Survive Global Capitalism?*, (New York: W. W. Norton & Company, 2018), p.224.

⁴⁶ Market-clearing is the process by which the supply of a commodity (here, the wage) is equated to the demand so that there is no left-over supply or demand. Ibid, p.98.

⁴⁷ Ibid, p.202.

still has 19% of its workforce working in manufacturing – against 10.5% in the US.⁴⁸ This is largely due to Germany’s national labor policies which protect its workers more.⁴⁹

It is worth asking why the US does not have such policies and instead embraces so-called “free trade” policies. One of the reasons is that Capital benefits from job insecurity. If workers feel insecure, they are less likely to ask for decent wages and working conditions and will grudgingly accept what they are offered. This fear increases management’s power over Labor. Many jobs that used to be regular are now contingent because diminishing labor costs and increasing labor flexibility has become the main goal of Capital and has been tolerated by the government. Between 2005 and 2015, total US employment increased by 9.1 million jobs. During this same decade, nonstandard employment grew by 9.4 million. In other words, what appeared to be a strong recovery after the Great Recession consisted only of jobs that people usually take when they do not have any other choices.⁵⁰ Part-time and contingent workers represented only 10% of the workforce in the 1950s; in the 2010s, it was 20% of the population.⁵¹ These types of jobs considerably reduced labor costs. A study found that an individual can expect a much lower wage and fewer benefits per hour if he or she works part-time rather than full-time.⁵² Contingent workers also enable employers to avoid minimum wage, overtime, and antidiscrimination laws, as well as from contributing their share of Social Security, Medicare, workers’ compensation, and unemployment insurance taxes.⁵³ Furthermore, competition between workers increases. Today, outsourcing does not mean moving jobs abroad; it also means moving them online. This means that workers compete on a national and global level. It also means that subcontracting to low-wage markets no longer

⁴⁸ M. West Darrell and Christian Lansang, *Global Manufacturing Scorecard: How the US Compares to 18 Other Nations*, (Brookings Institution, July 10, 2018), online, Internet, 5 Feb. 2021, Available: <https://www.brookings.edu/research/global-manufacturing-scorecard-how-the-us-compares-to-18-other-nations/>.

⁴⁹ Kuttner, *Can Democracy Survive Global Capitalism?*, p.192.

⁵⁰ *Ibid*, p.100.

⁵¹ Hacker, *The Great Risk Shift*, p.73.

⁵² *Ibid*, p.74.

⁵³ Kuttner, *Can Democracy Survive Global Capitalism?*, p.100.

touches only low-skilled and semi-skilled workers. Computer programmers, for example – among which 91% have gone to college – can easily be replaced by someone anywhere in the world as their programs can be transmitted digitally.⁵⁴ Many entrepreneurs now take advantage of digital technology to put workers in competition. They turn the labor market into a spot market where wages fluctuate with shifting supply and demand.⁵⁵ Platforms such as Uber, TaskRabbit (which provides clients a list of workers who are available for a variety of tasks), and Mechanical Turk (created by Amazon, which allows people to perform microtasks for clients using their personal computers) create a competition between workers. The winner is the one who will accept the lowest wage to perform the task. Under the pretext of more flexibility and freedom, these jobs offer low wages and enable entrepreneurs – such as the billionaire Travis Kalanick, former co-founder of Uber – to collect most of the profits. It also allows entrepreneurs to avoid any responsibility under labor laws as these workers are not their employees in a legal sense.⁵⁶ This has been tolerated by the government and permitted thanks to the decline in unions (the latter will be examined in part V).

As Capital holds more and more power over Labor, a select few increasingly collect all the profits, creating a plutonomy,⁵⁷ while workers suffer from stagnant wage and job insecurity. As journalist Chrystia Freeland notes, “the rich of today are also different from the rich of yesterday.”⁵⁸ This new elite is often of first- and second-generation wealth and is often composed of hard-working and highly educated people. The big difference between hereditary elite and the new plutocrats is that the latter know what a struggle “normal life” is,

⁵⁴ Hacker, *The Great Risk Shift*, p.68-9.

⁵⁵ Kuttner, *Can Democracy Survive Global Capitalism?*, p.103

⁵⁶ *Ibid*, p.101.

⁵⁷ A plutonomy is a term which refers to the science of the production and distribution of wealth. Some scholars, most notably, Noam Chomsky, have used it to refer to a society where the wealth is concentrated in the hands of a few and where economic growth has become dependent on that same wealthy minority. Chomsky, *Requiem for the American Dream*.

⁵⁸ Chrystia Freeland, “The Rise of the New Global Elite” *The Atlantic*, 4 Jan. 2011, online, Internet, 5 Feb. 2021. Available: <https://www.theatlantic.com/magazine/archive/2011/01/the-rise-of-the-new-global-elite/308343/>.

wealth is new to them, and they are eager to get more. The desire to accumulate wealth for oneself was severely criticized by Adams:

We cannot become a great Democracy by giving ourselves up as individuals to selfishness, physical comforts, and cheap amusements. The very foundation of the American Dream of a better and richer life for all is that all, in varying degrees, shall be capable of wanting to share in it.⁵⁹

However, today, this pursuit of wealth for one's own pleasure (and to avoid the pain of low-wage labor in the gig economy) has become normalized and is now central to global capitalism. Moreover, some of these elites are meritocrats with high self-regard who think they very much deserve to be who they are and possess what they have, and as a result, they can be indifferent or condescending to the suffering of others. This virtuous meritocratic feeling is nurtured by a sense of community between an international plutonomy which finds that they have more in common with one another than with their fellow citizens.⁶⁰

Today's unregulated capitalism challenges some of the ideals of the American Dream as it normalizes job insecurity, making upward social mobility a privilege instead of an "opportunity for each" and raising inequality along the way.

3. Consumerism: Manufacturing Desires

Another change in the postwar economy which challenges the American Dream is the never-ending growth of consumerism. Consumerism emerged in the 1700s when the industrial revolution allowed the transfer of production from home to factories, thereby producing more products at a lower cost. It intensified with early time-saving automation and the emergence of the middle class which could consume more goods. Consumerism later increased in the 1950s and 1960s as goods became less expensive to produce, hence cheaper, wages increased, and marketing campaigns developed to boost consumer desires. Advertising used flattery and patriotism to sell more products. After the Great Depression and World War

⁵⁹ Adams, *The Epic of America*, p.411

⁶⁰ Freeland, "The Rise of the New Global Elite."

II, consuming was presented as a patriotic act, as a way to do good for the nation and for oneself. Households became modernized with cars, refrigerators, TVs, and other household items. Consumerism increased even more in the 1970s and 1980s with the beginning of outsourcing to countries with lower labor costs, enabling US workers with stagnant wages to continue to consume inexpensive foreign-made products which enabled prices to decrease. Today, shopping has become easier, cheaper, and more frequent with online shopping, alluring credit schemes, and advertisements that are everywhere. In 2017, spending on goods such as jewelry, watches, luggage, books, and phones was \$240 billion in the US, twice as much as in 2002. Americans are spending 20% more on clothing than they did in 2000, with the average American buying 66 items of clothing a year. Americans are also spending more on electronics, even though they are less expensive than they used to be.⁶¹ People are accumulating products, even as they lose emotional value. Some articles are so cheap that people do not think twice about buying them. This accumulation of goods contributed to an increase in the size of American homes: the average square footage of houses in the US increased by 23% in the last two decades, while the number of storage facilities doubled.⁶² This increased storage capacity for stuff coincided with a decrease in the average American family size.⁶³

Consumerism now takes center-stage in the US. So much so that it has become an integral part of the American Dream. People are displaying their material success with luxury goods or with an abundance of goods – what Thorstein Veblen called conspicuous consumption: the tendency to buy a product to prove one’s social status more than for its mere utility.⁶⁴ Today, owning fancy brands determines some people’s idea of what a good life is. A

⁶¹ Jackie Lay, *America’s Dopamine-Fueled Shopping Addiction*, (The Atlantic, 2019), online, Internet, 1 Apr. 2020. Available: <https://www.theatlantic.com/video/index/583372/consumerism/>.

⁶² Ibid.

⁶³ “Average Size of a Family in the US 1960-2020” *Statista*. 2020, online, Internet, 8 Feb. 2021. Available: <https://www.statista.com/statistics/183657/average-size-of-a-family-in-the-us/>.

⁶⁴ Thorstein Veblen, *The Theory of the Leisure Class*, (United States: Macmillan Company, 1899).

“life that should be better, richer, and fuller for every man” is therefore thought to be achieved through consumption.

Consumerism is also another indicator of the powershift from Labor to Capital. Through advertisements, corporations “manufacture desires.”⁶⁵ People want to possess their products because they aspire to the image of success corporations have foisted on them. This is what Veblen calls the “fabrication of customers.”⁶⁶ Corporations guide puppet-like customers with the strings of advertising, which represented \$223.7 billion in ad expenditure in the US in 2018. This is more than twice as much as in China, the second largest market in the world.⁶⁷ This huge machine fabricates desires and customers and traps people into a superficial life where material pursuit trumps spiritual and moral concerns.

In the end, consumerism’s exaggerated attention to material over spiritual matters harms the American Dream in several ways. First, it deprives people of their freedom. Since businesses manufacture customers’ desires, consumerism affects their way of life by enslaving them to certain habits. Going to the mall on Saturday for example is not a spontaneous desire, it is a habit that is foisted on people by corporations. As advertisements surround everybody, people are trapped in an endless circle of earning and spending. James Truslow Adams anticipated this in 1931, at a time when advertising and propaganda became increasingly professionalized, with Edward Bernays creating “public relations” and many strategies that would become central to today’s Internet-boosted marketing techniques. Adams warned his readers:

The great business leaders are likely to lead us astray rather than to guide us. [...] [We are], therefore, goaded by every possible method of pressure or cajolery to spend [our] wages in consuming goods.⁶⁸

⁶⁵ Chomsky, *Requiem for the American Dream*.

⁶⁶ Thorstein Veblen, *Absentee Ownership: Business Enterprise in Recent Times - The Case of America*, 1st edition. (New Brunswick: Routledge, 1996), p.306.

⁶⁷ A. Guttman, “U.S. Advertising Spending 2015-2022” *Statista*. 28 Mar. 2019, online, Internet, 8 Feb. 2021. Available: <https://www.statista.com/statistics/272314/advertising-spending-in-the-us/>.

⁶⁸ Adams, *The Epic of America*, p.407.

The temptation is such that people spend more than they can afford. In order to gain higher social status, lower-class people imitate high-status people by consuming over-priced goods and services. This is what Veblen calls “pecuniary emulation.”⁶⁹ The result is higher personal debts and less savings. Since 1982, the Americans’ personal savings rate has decreased from 11% to below zero according to the US Department of Commerce.⁷⁰ Another factor that can explain this phenomenon is that today, the credit-card industry is no longer for wealthier people. Lending companies target consumers in high school without requiring financial qualifications or providing guidance. People are thus piling up debt at a very young age. Credit cards have made the action of shopping so easy that people do not always realize the money they are spending. Today, personal debts have become normalized. The average credit card holder has at least four cards and on average, each household with a credit card carries \$8,398 in credit card debts.⁷¹ This impacts freedom since some people are trapped by their debts and have to work longer hours and during the weekends. It can even lead to stress and depression as people have less time to spend with their family and friends.⁷² Moreover, consumerism also challenges social mobility. Since people have debts and save less, it is harder for them to climb the social ladder and they can more easily be subject to economic insecurity. Finally, it also accentuates inequality between those who can afford all this consumption, and those who cannot and have to take on debt to keep up appearances.

⁶⁹ Veblen, *The Theory of the Leisure Class*.

⁷⁰ Amy Novotney, “What’s Behind American Consumerism?” *American Psychological Association*. (2008), online, Internet, 2 Apr. 2020. Available: <https://www.apa.org/monitor/2008/07-08/consumerism>.

⁷¹ Bill Fay, “Key Figures Behind America’s Consumer Debt” *Debt.org*, 7 Jan. 2019, online, Internet, 3 Apr. 2020. Available: <https://www.debt.org/faqs/americans-in-debt/>.

⁷² Jalelah Abu Baker, “The Good and Bad Sides of Consumerism” *The Straits Times*, 11 Jul. 2016, online, Internet, 2 Apr. 2020. Available: <https://www.straitstimes.com/opinion/the-good-and-bad-sides-of-consumerism>.

C. Health & Education: Industries like any Other?

1. The Healthcare System

Sectors such as healthcare and education are no exception to the accumulation of profits by Capital. This prioritization of profits – allowed by privatization and low regulations – leads to high costs of health services and drugs. For instance, in Holland, a hip replacement surgery costs 21% of the average price in the US⁷³ and the US price of Humira, a drug used to treat rheumatoid arthritis among other pathologies, was triple the price for the same drug in Germany in 2017.⁷⁴ These high costs have dramatic consequences. Healthcare spending is almost twice as high as the OECD average:⁷⁵ in 2017, the US spent 17.1% of its GDP on healthcare, when countries such as the United Kingdom spent 9.6%.⁷⁶ As a result, medical expenses pushed seven million people below the federal poverty line in 2018 with around 530,000 people declaring medical bankruptcy every year.⁷⁷ The US healthcare system with its high costs and private insurance system creates and perpetuates inequality and can represent an impediment to social mobility. It prevents many people from having a “better, richer, and fuller life.” In that sense, it represents an impediment to the American Dream.

To begin with, one needs to understand how privatization and low regulations lead to high costs – ultimately creating inequalities between those who can afford such costs and those who cannot. Contrary to some other developed countries which have universal healthcare, medical insurance, and a government proactively regulating costs, the US healthcare system is mostly run by private corporations. Just like in other markets, companies

⁷³ Ibid.

⁷⁴ “Average Price of Humira by Country 2017” *Statista*. 2017, online, Internet, 12 Feb. 2021. Available: <https://www.statista.com/statistics/312014/average-price-of-humira-by-country/>.

⁷⁵ The Organisation for Economic Co-operation and Development is an intergovernmental economic organization with 37 member countries.

⁷⁶ Ryan Nunn, Jana Parsons, and Jay Shambaugh, *A Dozen Facts about the Economics of the U.S. Health-Care System*, The Hamilton Project (Brookings Institution, March 2020).

⁷⁷ Andrea S. Christopher et al., “The Effects of Household Medical Expenditures on Income Inequality in the United States” *American Journal of Public Health*. 108.3 (2018): 351–354.

compete for customers’ money. Except here, corporations are hospitals, specialist physicians, doctors, insurers, and pharmaceutical companies, and customers are people with sick bodies.

What makes this “market” of sick bodies so prosperous is that healthcare is not something one can do without, which means that whatever the price is set to be, “customers” are generally going to pay it. Furthermore, competition is weak in the US healthcare system. This is illustrated by the following chart. The Herfindahl-Hirschman Index measures market concentration. A high HHI means a low competition and a high market power.⁷⁸

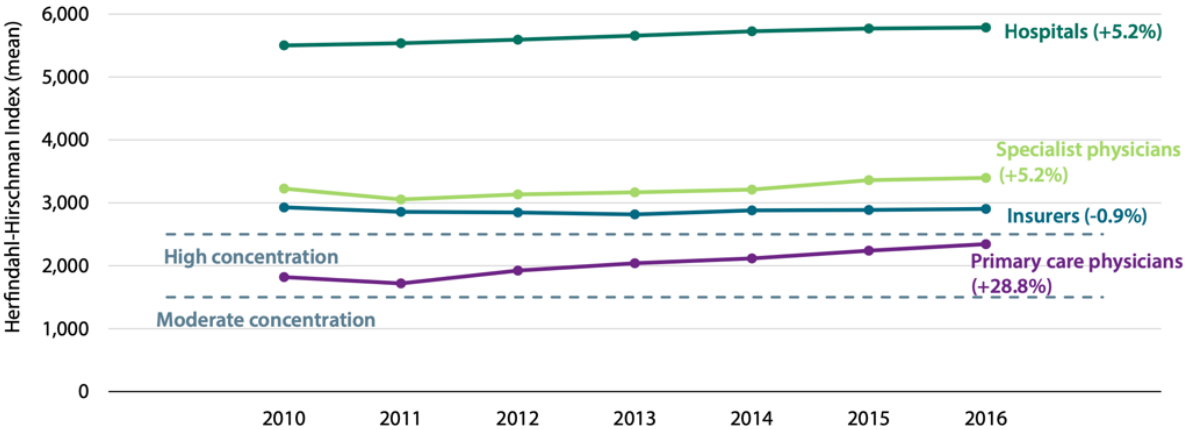


Figure 4: Market Concentration by Healthcare Sector, 2010-2016
 Source: Ryan Nunn, Jana Parsons, and Jay Shambaugh, *A Dozen Facts about the Economics of the U.S. Health-Care System*, The Hamilton Project (Brookings Institution, March 2020).

Insurers, specialist physicians, and hospitals are above the high concentration threshold, with hospitals being largely so. Primary care physicians are between the moderate and high concentration levels and have rapidly increased. This high market power means that providers and insurers can easily dictate their prices. Between 2007 and 2014 hospital prices increased by 42% for inpatient care and 25% for outpatient care.⁷⁹ Hospitals are the biggest cost in America’s \$3.5 trillion healthcare system. They represent 44% of personal expenses for the

⁷⁸ Market power is the ability of a firm to raise its prices without losing any customers. In highly competitive markets, firms have no market power.
⁷⁹ Zack Cooper et al., “Hospital Prices Grew Substantially Faster Than Physician Prices for Hospital-Based Care In 2007–14” *Health Affairs*. 38.2 (2019): 184–189.

privately insured.⁸⁰ Their high and variable prices can be explained by various factors: excessive medical testing, high salaries (the average physician's wage is 3.84 times the US median wage,⁸¹ twice as much as the average physician's wage in other high-income countries,⁸² and spending in luxury hospitality (hospitals looking like seven-star hotels,⁸³ offering organic food by celebrity chefs, and private rooms only).⁸⁴ Between 2007 and 2018, list prices of branded pharmaceutical products also increased by 159%.⁸⁵ When some other countries have their government to conduct large-scale negotiations and set a price ceiling, the US leaves pricing to market competition. Thus, companies such as AbbVie can set a high price for its Humira drugs at \$19,000 a year in 2012 and raise it even higher: at \$38,000 today. In 2016, Humira accounted for nearly two-thirds of AbbVie's \$25.6 billion revenue.⁸⁶ These providers also seem untouchable, hospital trade groups, medical centers, and pharmaceutical companies are major political donors, in effect bribing politicians to fend off government intervention to defend the interests of patients. Furthermore, hospitals have become the biggest employers in numerous cities, replacing manufacturing in several rust-belt cities such as Cleveland and Pittsburgh. It means that they have political leverage, and that people are less likely to rebel against their high prices when they feel their jobs depend on them.⁸⁷

⁸⁰ Elisabeth Rosenthal, "That Beloved Hospital? It's Driving Up Health Care Costs" *The New York Times*, 1 Sep. 2019, sec. Opinion, online, Internet, 14 Feb. 2021. Available:

<https://www.nytimes.com/2019/09/01/opinion/hospital-spending.html>.

⁸¹ Nunn, Parsons, and Shambaugh, *A Dozen Facts about the Economics of the U.S. Health-Care System*.

⁸² "U.S. Health Spending as Share of GDP 1960-2020" *Statista*, 2020, online, Internet, 12 Feb. 2021. Available: <https://www.statista.com/statistics/184968/us-health-expenditure-as-percent-of-gdp-since-1960/>.

⁸³ *The New York Times* even created a quiz to spot which one is a hotel or a hospital:

<https://www.nytimes.com/interactive/2014/sunday-review/hotel-hospital-quiz.html>.

⁸⁴ Elisabeth Rosenthal, "Is This a Hospital or a Hotel?" *The New York Times*, 21 Sep. 2013, sec. Sunday Review, online, Internet, 14 Feb. 2021. Available: <https://www.nytimes.com/2013/09/22/sunday-review/is-this-a-hospital-or-a-hotel.html>.

⁸⁵ Inmaculada Hernandez et al., "Changes in List Prices, Net Prices, and Discounts for Branded Drugs in the US, 2007-2018" *JAMA*. 323.9 (2020): 854-862.

⁸⁶ Danny Hakim, "Humira's Best-Selling Drug Formula: Start at a High Price. Go Higher." *The New York Times*, 6 Jan. 2018, sec. Business, online, Internet, 12 Feb. 2021. Available: <https://www.nytimes.com/2018/01/06/business/humira-drug-prices.html>.

⁸⁷ Rosenthal, "That Beloved Hospital?"

Due to such high costs and the lack of universal coverage, Americans generally spend a lot on health insurance which often offers weak coverage. The first large insurance company, Blue Cross, was founded in 1929. After WWII, the federal government had instituted a wage freeze to curb inflation. As a result, the system of health insurance boomed because companies offered benefits such as health insurance to their employees instead of higher wages.⁸⁸ Today, for 49.6% of the population, health insurance is provided by their employers.⁸⁹ The federal government provides public health insurance for the poor with Medicaid and for people over 65 with Medicare. Despite the implementation of the Affordable Care Act (ACA) in 2010 which decreased the number of Americans uninsured from 17.8% in 2010 to 10.9% in 2019,⁹⁰ too many people are still uninsured (roughly 30 million). For those who are too young to qualify for Medicare, have too much money for Medicaid, and do not get insurance from their jobs – or do not have jobs – they have to pay for private insurance which is very expensive. Since the ACA has increased the number of people insured – and prevented insurers from refusing to cover people with pre-existing conditions – insurers have to cover more people (and more unhealthy people). As a result, insurers found new tactics to maximize their profits. In the US, there are three components of coverage: deductible, copay, and coinsurance. A deductible is the amount of money a person has to pay before their insurance plan starts to pay. For example, with a \$2000 deductible, a person will have to pay the full cost of most health services until reaching this amount, at which point their plan will begin to pay. Generally, plans with higher premiums have lower deductibles and plans with lower premiums have higher deductibles. A copay is a fixed dollar

⁸⁸ Kimberly Amadeo and Eric Estevez, “How Does Health Insurance Work?” *The Balance*, 30 Oct. 2020, online, Internet, 15 Feb. 2021. Available: <https://www.thebalance.com/how-does-health-insurance-work-3306069>.

⁸⁹ “Health Insurance Coverage of the Total Population” *KFF*, 23 Oct. 2020, online, Internet, 13 Feb. 2021. Available: <https://www.kff.org/other/state-indicator/total-population/>.

⁹⁰ Jennifer Tolbert, Kendal Orgera, and Anthony Damico, “Key Facts about the Uninsured Population” *KFF*, 6 Nov. 2020, online, Internet, 15 Feb. 2021. Available: <https://www.kff.org/uninsured/issue-brief/key-facts-about-the-uninsured-population/>.

amount an insured person has to pay for each covered service. It is usually less than \$25, for example, it can be \$20 for a doctor visit and \$10 for a prescription. A coinsurance is the percentage of a cost for a covered service the insured has to pay after the deductible is paid. For instance, the insured will pay 20% of a prescription and his coinsurance plan will pay the rest. Between 2007 and 2017, the amount deductibles are fixed at doubled.⁹¹ They have also become increasingly common: in 2018, 85% of covered workers enrolled in a plan with a deductible against 59% 10 years before.⁹² It means that not only have out-of-pocket costs risen, but they are in the form of substantial upfront costs which represent more of a financial shock than copays and coinsurance which are spread out over the course of the year. Roughly 20% of people under 65 *with* health insurance say they have problems paying their medical bills.⁹³ In order not to raise their premiums, insurance companies not only increased deductibles but also increasingly narrowed patients' networks. Insurers squeezed out providers that were too expensive or that would not negotiate their prices, so that they did not have to spend too much money.⁹⁴ As a result, people have to find providers that are in their networks who sometimes are far away, which in case of an emergency is practically impossible. Sometimes, providers themselves can decide to stop participating in a network if they consider an insurer's contracted payment offerings are too low. Some physicians can even decide not to participate in any network at all so that they can charge whatever they

⁹¹ Matthew Rae, et al., "Deductible Relief Day: How Rising Deductibles are Affecting People with Employer Coverage" *Peterson-KFF Health System Tracker*, 15 May 2019, online, Internet, 13 Feb. 2021. Available: <https://www.healthsystemtracker.org/brief/deductible-relief-day-how-rising-deductibles-are-affecting-people-with-employer-coverage/>.

⁹² "Percentage of Covered Workers with a General Annual Deductible for Single Coverage, 2006-2018 9240" *KFF*, 29 Sep. 2018, online, Internet, 13 Feb. 2021. Available: <https://www.kff.org/report-section/2018-employer-health-benefits-survey-section-7-employee-cost-sharing/attachment/figure-7-7/>.

⁹³ Margot Sanger-Katz, "Even Insured Can Face Crushing Medical Debt, Study Finds" *The New York Times*, 5 Jan. 2016, sec. The Upshot, online, Internet, 13 Feb. 2021. Available: <https://www.nytimes.com/2016/01/06/upshot/lost-jobs-houses-savings-even-insured-often-face-crushing-medical-debt.html>.

⁹⁴ Margot Sanger-Katz, "A Health Trade-Off That's Here to Stay: Lower Cost, Limited Choice" *The New York Times*, 29 Jul. 2014, sec. The Upshot, online, Internet, 13 Feb. 2021. Available: <https://www.nytimes.com/2014/07/30/upshot/why-health-insurance-plans-with-narrow-networks-are-here-to-stay.html>.

want.⁹⁵ Today, “narrow networks”⁹⁶ make up about half of all exchange networks across the US.⁹⁷ It led to a phenomenon known as “surprise bills.” Elisabeth Rosenthal, a former emergency room physician and current journalist, describes some of the typical scenarios:

A patient having a heart attack is taken by ambulance to the nearest hospital and gets hit with a bill of over \$100,000 because that hospital wasn’t in his insurance network. A patient selects an in-network provider for a minor procedure, like a colonoscopy, only to be billed thousands for the out-of-network anesthesiologist and pathologist who participated.⁹⁸

Such bills are “surprises” to the insured who are often not aware of who is and who is not in their networks. Such information often lacks clarity. Some providers are in the network for some procedures but not for others. Networks themselves are unstable: a person’s doctor can be in their network when they subscribe to their insurance, but can leave some time after that, in that case, they will no longer be covered for his services. Moreover, studies have found that 30% to over 50% of hospital bills contain errors.⁹⁹ One of the other reasons why medical bills lack clarity is because they are written with codes.¹⁰⁰ Even signing up to an insurance plan can be confusing, nearly one in five uninsured says they are so because they find it too difficult or because they cannot find a plan that meets their needs.¹⁰¹ This complex system leads to high administration costs. In 2003, a study found that non-medical administration (i.e., paperwork)

⁹⁵ Elisabeth Rosenthal, “Who’s Profiting from your Outrageous Medical Bills?” *The New York Times*, 14 Feb. 2020, sec. Opinion, online, Internet, 13 Feb. 2021. Available:

<https://www.nytimes.com/2020/02/14/opinion/sunday/surprise-medical-billing.html>.

⁹⁶ The study defines a “narrow network” plan as one that included less than 70% of the doctors and hospitals in a given metropolitan area (though some plans they surveyed covered less than 30% of local providers).

⁹⁷ Sanger-Katz, “A Health Trade-Off That’s Here to Stay.”

⁹⁸ Rosenthal, “Who’s Profiting From Your Outrageous Medical Bills?”

⁹⁹ Elisabeth Rosenthal, “Nine Rights Every Patient Should Demand” *The New York Times*, 27 Apr. 2018, sec. Opinion, online, Internet, 13 Feb. 2021. Available:

<https://www.nytimes.com/2018/04/27/opinion/sunday/patients-rights-hospitals-health-care.html>.

¹⁰⁰ Elisabeth Rosenthal, “The Medical Bill Mystery” *The New York Times*, 2 May 2015, sec. Sunday Review, online, Internet, 13 Feb. 2021. Available: <https://www.nytimes.com/2015/05/03/sunday-review/the-medical-bill-mystery.html>.

¹⁰¹ Tolbert, Orgera, and Damico, “Key Facts about the Uninsured Population.”

made up 31% of US healthcare costs. This is twice the administrative costs in Canada's healthcare system.¹⁰²

This complex and expensive healthcare system results in unequal access to care. In 2019, there were still 28.9 million people uninsured, 73.7% of whom said it was because the cost of coverage was too high.¹⁰³ This concerns mainly low-income people and the middle-class: 34.6% of people earning less than \$20,000 and 39.5% of people earning between \$20,000 and \$39,999 are uninsured.¹⁰⁴ Low-income workers are less likely to get coverage from their employers: less than one third, against nearly 60% of high-income workers get coverage from their employers. People without health insurance are less likely to have regular preventive care and more likely to forgo care because of its high costs. As a result, uninsured people use the expensive emergency room as their primary physician. Unequal access to healthcare ends up leading to disparities in health. Poor adults are five times as likely as those with incomes above 400% of the federal poverty level to report being in poor or fair health.¹⁰⁵ It creates a vicious cycle: poverty leads to illness as people cannot afford preventive care; then, facing healthcare's high costs, illness ultimately leads to greater poverty. Among the ten million Americans suffering from cancer between 2000 and 2012, 42% were forced to drain all of their assets in order to pay for care.¹⁰⁶ It leads to greater inequality as low-income people have to spend a greater proportion of their income on healthcare than richer people do, and it also decreases the chance of social mobility for people who get sick. These people lose

¹⁰² Steffie Woolhandler, Terry Campbell, and David U. Himmelstein, "Costs of Health Care Administration in the United States and Canada" *The New England Journal of Medicine*. (2009), online, Internet, 13 Feb. 2021. Available: <https://www.nejm.org/doi/10.1056/NEJMsa022033>.

¹⁰³ Tolbert, Orgera, and Damico, "Key Facts about the Uninsured Population."

¹⁰⁴ "Percentage and Rate of Uninsured Adult Workers by Income U.S. 2019" *Statista*. n.d., online, Internet, 15 Feb. 2021. Available: <https://www.statista.com/statistics/985622/percentage-and-rate-of-us-adult-workers-without-health-insurance-by-income/>.

¹⁰⁵ Dhruv Khullar and Dave A. Chokshi, *Health, Income, & Poverty: Where We Are & What Could Help*, (Health Affairs, October 2018), online, Internet, 15 Feb. 2021. Available: <https://www.healthaffairs.org/doi/10.1377/hpb20180817.901935/full/>.

¹⁰⁶ Adrienne M. Gilligan et al., "Death or Debt? National Estimates of Financial Toxicity in Persons with Newly-Diagnosed Cancer" *The American Journal of Medicine*. 131.10 (2018): 1187-1199.e5.

a considerable amount of their savings to healthcare, and it is also harder for them to succeed at school or to maintain a full-time job while being chronically ill. Medical debts also prevent people from having an equal “opportunity” “according to [their] ability or achievement” as they cannot afford to take the risks they would need to succeed, while more affluent people are able to do so. Thus, the healthcare system creates and perpetuates inequality and makes upward social mobility harder to experience, challenging the realization of the American Dream. Besides, people who cannot afford care do not live a “better, richer, and fuller” life but instead have to live with their pain.

There are other reasons than the costs of healthcare to explain the causal link between poverty and illness: lifestyles and environments. Six in ten adults have a chronic disease in America, four in ten have two or more. These diseases can be caused by unhealthy lifestyles such as poor nutrition, tobacco, lack of physical activity, and excessive alcohol use.¹⁰⁷ Those unhealthy lifestyles are often themselves caused and perpetuated by poverty. For instance, in 2011, smoking was reported by one out of four adults from families who earn less than \$35,000 a year, three times the rate of those from families who earn \$100,000 a year or more.¹⁰⁸ This can be explained by the environment low-income people are segregated in. Low-income people tend to be stuck in poor neighborhoods which have a high density of tobacco retailers. Moreover, their poverty has been instrumentalized by more affluent people as poorer people have often been the target of the tobacco industry for their marketing campaigns. Moreover, it can be harder for them to quit smoking as they might experience high levels of stress and have limited access to assistance.¹⁰⁹ Low-income people are also more likely to live in neighborhoods with air and water pollution of near-by highways,

¹⁰⁷ “Chronic Diseases in America” *Center for Disease Control and Prevention*. 12 Jan. 2021, online, Internet, 15 Feb. 2021. Available: <https://www.cdc.gov/chronicdisease/resources/infographic/chronic-diseases.htm>.

¹⁰⁸ Steven H Woolf et al., *How Are Income and Wealth Linked to Health and Longevity?*, (Urban Institute, April 2015).

¹⁰⁹ Khullar and Chokshi, *Health, Income, & Poverty*.

extractive industries (mining and drilling), and polluting factories. This situation widens the gap with more affluent people who can afford medical care and a healthier lifestyle, which also benefits their children. Studies have shown that socioeconomic conditions experienced during childhood have an impact on health status throughout adulthood.¹¹⁰

In short, poverty itself leads to worsening health due to unhealthy lifestyles which are encouraged by housing segregation and businesses' marketing campaigns targeting the less affluent. This will be illustrated in a case-study on obesity. The healthcare system also creates and perpetuates inequality by prioritizing profits over delivering *good* care to *all*, leading to the worsening health of non-affluent people. This will be illustrated in a second case-study on the opioid crisis.

a) The Obesity Problem

Being overweight is a major issue in the US, touching 73.6% of people over twenty including 42.5% suffering from obesity. It is also a health issue that is highly unequal, with low-income people being more likely to be suffering from obesity. Moreover, obesity widens inequality and can make upward social mobility harder to experience, thus making the American Dream harder to fulfill.

A person is defined as obese when their body mass index (BMI) is 30 or greater. Obesity is responsible for one in five deaths of adults aged 40 to 85.¹¹¹ Recently, the impact obesity can have has been brought to light with Covid-19 since obesity can trigger serious consequences such as hospitalization or death following a Covid-19 infection. Yet, obesity can have many other negative impacts such as increasing the risk for type 2 diabetes, high

¹¹⁰ Woolf et al., "How Are Income and Wealth Linked to Health and Longevity?"

¹¹¹ Spencer Bokart-Lindell, "What's the Right Way to Reverse the Obesity Epidemic?" *The New York Times*. 17 Sep. 2019, sec. Opinion, online, Internet, 24 Feb. 2021. Available: <https://www.nytimes.com/2019/09/17/opinion/obesity-weight-treatment.html>.

blood pressure, stroke, and several types of cancer.¹¹² People are also two to three times more likely to die from a heart disease if they had been overweight or obese as teens.¹¹³ In 2018, 18.5% of children aged 2-19 years old were obese.¹¹⁴ Obesity also costs a lot: its total impact is estimated to be between 4% and 8% of the US GDP which is comparable to the 2018 defense budget (\$643 billion) and Medicare (\$588 billion).¹¹⁵

Obesity can be caused by several factors: genetics, lifestyle, and social and economic factors. Lifestyle is the most widely known factor: lack of physical activity, unhealthy diet, lack of sleep, and too much stress (both of which can lead to an intense desire to eat more calories). Social and economic factors can prevent some people from having a healthy lifestyle, such as not having enough money to eat healthy food, and not having a safe place to exercise. Genetics, however, is often unacknowledged by public opinion. There is a widespread misconception that obesity is an issue of willpower alone. Genetics determines the amount of body fat a person stores and how efficiently a person's body metabolizes food into energy.¹¹⁶ Obese people also have the hormones that signal hunger and fullness working differently than non-obese people.¹¹⁷ Still, lifestyle has a substantial impact: it can act as a preventive factor for non-obese persons and can help obese people to lower their weight and thus the risk for their health.

¹¹² "The State of Obesity 2020: Better Policies for a Healthier America" *Trust for America's Health*. n.d., online, Internet, 24 Feb. 2021. Available: <https://www.tfah.org/report-details/state-of-obesity-2020/>.

¹¹³ Katelyn Newman, "Obesity in America: A Guide to the Public Health Crisis" *U.S. News*. 9 Sep. 2019, online, Internet, 24 Feb. 2021. Available: <https://www.usnews.com/news/healthiest-communities/articles/2019-09-19/obesity-in-america-a-guide-to-the-public-health-crisis>.

¹¹⁴ "Childhood Obesity Facts" *Centers for Disease Control and Prevention*. 11 Feb. 2021, online, Internet, 24 Feb. 2021. Available: <https://www.cdc.gov/obesity/data/childhood.html>.

¹¹⁵ David S. Ludwig and Kenneth S. Rogoff, "The Toll of America's Obesity" *The New York Times*. 9 Aug. 2018, sec. Opinion, online, Internet, 24 Feb. 2021. Available: <https://www.nytimes.com/2018/08/09/opinion/cost-diabetes-obesity-budget.html>.

¹¹⁶ Newman, "Obesity in America: A Guide to the Public Health Crisis"

¹¹⁷ "What is Obesity?" *Obesity Action Coalition*. n.d., online, Internet, 24 Feb. 2021. Available: <https://www.obesityaction.org/get-educated/understanding-your-weight-and-health/what-is-obesity/>.

A survey covering 1988 to 1994 found that 22.9% of Americans were obese.¹¹⁸ It means that today's obesity rates have almost doubled in 30 years. This sharp increase can be linked first to a change in food habits, encouraged by processed food businesses and second, to more sedentary habits with high daily amounts of screen time in the Internet age. Today, unhealthy food is cheaper and easier to eat than healthy food. As farm policies have made low-nutritional commodities particularly cheap, it encouraged the food industry to market processed food mainly made of refined grains and added sugars, while whole fruits and vegetables are much more expensive and sometimes harder to find.¹¹⁹ Processed foods are more caloric, and these calories are emptier since they are made mainly from solid fat and added sugar. Fruits and vegetables are neglected in favor of processed food which are cheaper and quicker to cook. Today, only 12.2% and 9.3% of American adults meet the daily fruit and vegetable intake recommendation.¹²⁰ People eat more sugar, heavily present in processed food, but also in sodas which have become increasingly popular. In the 1970s, 4% of US calories came from sugary drinks, today it represents 11%.¹²¹ Americans are also cooking less and eating out more: in 1960, almost a quarter of the money spent on food in the US was on food away from home. By 2011, it was nearly half. Eating out often means eating more: the average restaurant meal is more than four times larger than it was in the 1950s.¹²² It also often means eating less healthy as fast foods have flourished everywhere: today, three in four Americans eat fast food monthly and half weekly.¹²³ This growing unhealthy eating is not

¹¹⁸ Cheryl D Fryar, Margaret D. Carroll, and Cynthia L. Ogden, *Prevalence of Overweight, Obesity, and Severe Obesity Among Adults Aged 20 and Over: United States, 1960–1962 Through 2015–2016*, (National Center for Health Statistics, 2018).

¹¹⁹ Ludwig and Rogoff, “The Toll of America’s Obesity”.

¹²⁰ *2018 State Indicator Report on Fruits and Vegetables*, (Atlanta: Centers for Disease Control and Prevention, 2018), Available: <https://www.cdc.gov/nutrition/downloads/fruits-vegetables/2018/2018-fruit-vegetable-report-508.pdf>.

¹²¹ “Why are Americans Obese?” *PublicHealth.org*. 17 Feb. 2021, online, Internet, 24 Feb. 2021. Available: <https://www.publichealth.org/public-awareness/obesity/>.

¹²² “CDC - Infographics - Go Light When You Grab A Bite” *Centers for Disease Control and Prevention*. 23 Jan. 2019, online, Internet, 24 Feb. 2021. Available: <https://www.cdc.gov/nccdphp/dnpao/multimedia/infographics/golight.html>.

¹²³ “Why are Americans Obese?”

surprising when looking at the advertisement budget of the junk food industry. This industry targets mainly the youth. In 2009, fast food restaurants represented 40% of advertising expenditure marketing to youth and carbonated beverages 22.1%, while fruits and vegetables represented 0.4%.¹²⁴

Americans are also less active, only a third of adults get the recommended amount of exercise.¹²⁵ This can be linked to the fact that both jobs and leisure activities are increasingly sedentary: in 1960, nearly half the jobs in the private sector required at least moderate physical activity, but in 2010, less than 20% demanded this much physical work.¹²⁶ People also spend more time on screens. This concerns children too: the average 8- to 12-year-old American kid spends 4 hours and 44 minutes each day, and teens spend an average of 7 hours and 22 minutes on their screens.¹²⁷ This high amount of screen time is also due to the environment people live in: only one in five homes have parks nearby.¹²⁸

The supplementary problem is that obesity affects Americans unequally. The less education people have, the more likely they are to be obese: 36.2% of people without a high school degree or equivalent are obese against 25% of college graduates.¹²⁹ Racial minorities are also more affected by obesity: 49.6% of African American adults are obese, 44.8% of Hispanic adults, against 42.2% for non-Hispanic white adults.¹³⁰ This is mainly due to economic factors: people with higher degrees tend to earn more than people without one, and minorities are still suffering both from past and persisting discriminations which prevent them

¹²⁴ Lisa M. Powell, Jennifer L. Harris, and Tracy Fox, "Food Marketing Expenditures Aimed at Youth Putting the Numbers in Context" *American Journal of Preventive Medicine*. 45.4 (2013): 453–461.

¹²⁵ "Why are Americans Obese?"

¹²⁶ "Obesity in America: What's driving the epidemic?" *Harvard Health*. 2012, online, Internet, 24 Feb. 2021. Available: <https://www.health.harvard.edu/staying-healthy/obesity-in-america-whats-driving-the-epidemic>.

¹²⁷ Rachel Siegel, "Tweens, Teens And Screens: The Average Time Kids Spend Watching Online Videos Has Doubled in 4 Years" *Washington Post*. n.d., online, Internet, 24 Feb. 2021. Available: <https://www.washingtonpost.com/technology/2019/10/29/survey-average-time-young-people-spend-watching-videos-mostly-youtube-has-doubled-since/>.

¹²⁸ "Why are Americans Obese?"

¹²⁹ "New Adult Obesity Maps" *Centers for Disease Control and Prevention*. 21 Sep. 2020, online, Internet, 24 Feb. 2021. Available: <https://www.cdc.gov/obesity/data/prevalence-maps.html>.

¹³⁰ "Adults Obesity Facts" *Centers for Disease Control and Prevention*. 11 Feb. 2021, online, Internet, 24 Feb. 2021. Available: <https://www.cdc.gov/obesity/data/adult.html>.

from accumulating as much wealth as white people do. White average wealth is still 6.7 times greater than African American average wealth.¹³¹ Low-income people cannot afford regular healthy nutritious meals which are often more expensive than less nutritious, calorie-dense, high-carbohydrate ones. Besides, they tend to live in low-income neighborhoods which have limited access to fresh nutritious food. In low-income neighborhoods, fast-food is on average twice as common as fresh food. In the US, 23.5 million people do not have access to a supermarket within a mile of their home. The most extreme example is Mississippi, where 70% of food stamp eligible families live 30 miles or more from the nearest grocery store.¹³² Mississippi is the state with the highest rate of obesity.¹³³ Low-income and minority youth are also often targeted by advertising for fast-food, candy, sugary drinks, and snacks. In 2013, African American children and teenagers viewed 70% more food ads than their white counterparts. In 2017, this discrepancy grew to 86% for children and 119% for teenagers. This can be explained by an increase of more than 50% from 2013 to 2017 in food-related advertising spending on black-targeted TV.¹³⁴ Once again, profit-driven companies favor their own interest over the well-being of the less affluent. Moreover, while low-income people tend not to be able to afford gym memberships and sport clubs, they also tend to be segregated in neighborhoods which have limited access to green spaces and facilities for regular exercise.¹³⁵

Not only are some people more likely to become obese or overweight than others, but obesity also widens inequality. As low-income people have more chances to become obese than more affluent people, they are also more likely to have higher healthcare costs. For example, diabetes can mean financial ruin for low-wage workers as insulin now costs up to

¹³¹ Kriston McIntosh et al., *Examining the Black-White Wealth Gap*, (Brookings Institution, February 27, 2020), online, Internet, 24 Feb. 2021. Available: <https://www.brookings.edu/blog/up-front/2020/02/27/examining-the-black-white-wealth-gap/>.

¹³² "Why are Americans Obese?"

¹³³ "New Adult Obesity Maps."

¹³⁴ Jennifer L. Harris et al., *Increasing Disparities in Unhealthy Food Advertising Targeted to Hispanic and Black Youth*, (Rudd Center for Food Policy & Obesity, January 2019), Available: <https://media.ruddcenter.uconn.edu/PDFs/TargetedMarketingReport2019.pdf>.

¹³⁵ Woolf et al., "How Are Income and Wealth Linked to Health and Longevity?"

\$900 a month.¹³⁶ This creates a vicious cycle: poverty leads to poor lifestyle, which can lead to overweight or obesity, increasing the risk of health issues at high costs, leading to more poverty and poor lifestyles. This vicious cycle is accentuated and perpetuated by the segregation of low-income people to poor neighborhoods and the exploitation of their misery by junk food businesses. Obese people also suffer from discrimination. Discrimination can impact their social mobility and widen inequality, even after people lose weight. Studies found that when presented with two hypothetical candidates, employers are less likely to hire a formerly overweight person. Obese people are often blamed for their disease which can prevent them from going up the social ladder. Furthermore, the effect of shame and stigma have long-term consequences: overweight people are more likely to be suffering from anxiety and depression and weight shaming can lead them to binge eating and avoidance of exercise because they feel too embarrassed about their own body.¹³⁷ Obese people also suffer from discrimination within the healthcare system. They face several difficulties during their treatment. As early as the diagnosis, problems arise. Doctors tend not to look beyond a person's excess weight and link a patient's other issues to their obesity.¹³⁸ Physical examinations can be complicated: scales and scanners like a CT or M.R.I. are sometimes not built for the weight and size of obese people. Scanners have weight limits of 350 to 450 pounds. While scanners for heavy people are manufactured, over 90% of emergency rooms do not have one. Yet, CT or M.R.I. imaging is needed to diagnose the cause of patients' ills such as trauma, acute abdominal pain, lung blood clots, and strokes. Once the diagnosis is made, some doctors refuse to operate on obese people as they judge operations on them too risky.

¹³⁶ Ludwig and Rogoff, "The Toll of America's Obesity."

¹³⁷ Gina Kolata, "The Shame of Fat Shaming" *The New York Times*. 1 Oct. 2016, sec. Sunday Review, online, Internet, 24 Feb. 2021. Available: <https://www.nytimes.com/2016/10/02/sunday-review/the-shame-of-fat-shaming.html>.

¹³⁸ Gina Kolata, "Why Do Obese Patients Get Worse Care? Many Doctors Don't See Past the Fat" *The New York Times*. 26 Sep. 2016, sec. Health, online, Internet, 24 Feb. 2021. Available: <https://www.nytimes.com/2016/09/26/health/obese-patients-health-care.html>.

Some hospitals fear their ratings will fall if too many patients have complications. A lower score can mean reductions in reimbursements by Medicare and can also lead to penalties for hospitals and doctors. Finally, when it comes to medication, drug doses have often not been calibrated for obese patients and may thus be inefficient.¹³⁹ It means that some people suffering from obesity have untreated health issues and have to live in pain. They are deprived of an equal “opportunity” to live a “better, richer, and fuller” life.

Obesity is thus a challenge to the American Dream as wealth inequality is perpetuated by housing segregation and exploited by junk food businesses to maximize their profits at the cost of low-income people and people of color. The latter are thus deprived of an equal opportunity to climb the social ladder and to have appropriate care, and thus a “better, richer, and fuller” life.

b) The Opioid Crisis

The opioid crisis is a man-made epidemic resulting from the prioritization of profits over delivering *good* care to *all*. It illustrates how the healthcare system, instead of being instrumental in providing a “better, richer, and fuller” life to all, has prioritized the interest of a few leading to the death of many. Opioids are substances that are intended to be used for pain relief under a doctor’s supervision. They have similar effects to those of morphine and can be highly addictive. Today, more than 130 Americans die every day from opioid overdose. Every 15 minutes a baby in America is born suffering from opioid withdrawal.¹⁴⁰

Today’s opioid crisis has its roots in the 1990s when prescriptions for painkillers became more common. From 1999 to 2018, more than 232,000 people died from overdoses involving opioid prescriptions. Overdose deaths involving opioid prescriptions were more

¹³⁹ Ibid.

¹⁴⁰ Darren Conway, *Addicted: America’s Opioid Crisis*, Documentary, (BBC Three, 2019), online, Internet, 18 Feb. 2021. Available: <https://www.youtube.com/watch?v=9hOyjFyE3Ek>.

than four times higher in 2018 than in 1999.¹⁴¹ Today's opioid epidemic was caused by the medical healthcare system itself. More precisely, it started with one company, Purdue Pharma, and its drug OxyContin, which was later followed by several other pharmaceutical companies and their network of complicit distributors. Prior to the introduction of OxyContin, physicians were skeptical about prescribing opioids on a long-term basis because they feared addiction. However, in 1980, a letter to the *New England Journal of Medicine* by Dr. Hershel Jick and Jane Porter stated that the risk of addiction was less than 1%.¹⁴² Despite its lack of strong evidence, the article was widely cited to support the use of opioids. Opioid use increased gradually, until 1996, when it started accelerating rapidly. This acceleration was due to the introduction of Purdue's Oxycontin in 1995. Purdue revolutionized the way opioids were marketed. They tried to persuade both patients and doctors that their drug was more effective and safer than the opioids that were used before. Purdue hired an army of salespeople to meet doctors and tell them their drug was safe, they published papers and gave lectures, they funded organizations such as the American Pain Society (APS) which in turn advocated the use of opioids in pain-treatments. For example, in 1995, the APS launched a campaign called "Pain is the Fifth Vital Sign."¹⁴³ This campaign encouraged doctors to address pain as a vital sign and thus to use more aggressive methods to reduce it such as opioids. Oxycontin was also advertised on TV. As a result, patients suffering from pain increasingly asked to be prescribed this drug.¹⁴⁴ Within four years, Purdue Pharma doubled the size of its salesforce. In 2016, it was estimated that Purdue earned more than \$35 billion

¹⁴¹ "Overview | Drug Overdose" *Centers for Disease Control and Prevention*. 19 Mar. 2020, online, Internet, 18 Feb. 2021. Available: <https://www.cdc.gov/drugoverdose/data/prescribing/overview.html>.

¹⁴² The Editorial Board, "An Opioid Crisis Foretold" *The New York Times*. 21 Apr. 2018, sec. Opinion, online, Internet, 18 Feb. 2021. Available: <https://www.nytimes.com/2018/04/21/opinion/an-opioid-crisis-foretold.html>.

¹⁴³ Andrew Kolodny et al., "The Prescription Opioid and Heroin Crisis: A Public Health Approach to an Epidemic of Addiction" *Annual Review of Public Health*. (2015), Available: <https://www.annualreviews.org/doi/full/10.1146/annurev-publhealth-031914-122957>.

¹⁴⁴ Abby Goodnough and Sabrina Tavernise, "Opioid Prescriptions Drop for First Time in Two Decades" *The New York Times*. 20 May 2016, sec. Health, online, Internet, 18 Feb. 2021. Available: <https://www.nytimes.com/2016/05/21/health/opioid-prescriptions-drop-for-first-time-in-two-decades.html>.

from OxyContin sales and that its owners, the Sackler family, had a net worth of \$13 billion.¹⁴⁵ There have been several lawsuits against Purdue since 2000. These lawsuits enabled access to some of the firm's private documents. Among the findings, it was confirmed that the Sackler family knew the addictive risk of their products. In 2001, early on in the epidemic, several public reports about overdose deaths involving OxyContin were published. One of them stated that there were 59 overdose deaths involving OxyContin in one state. In an email, Richard Sackler wrote about this report: "This is not too bad. It could have been far worse."¹⁴⁶ This illustrates well the profits of one small group of people being prioritized over the general public interest. It also means that thousands of deaths were knowingly caused by the greed and stealth of a few individuals.

Pharmaceutical companies were not the only group to be blamed for this crisis. Doctors, pharmacists, the Drug Enforcement Administration, and public officials all played a part in allowing the opioid epidemic to spiral out of control. Many doctors who were overprescribing opioids lost their license, some of them went to jail, despite their being misinformed by pharmaceutical companies.¹⁴⁷ Some pharmacists were also blamed, most notably, the giant retailer Walmart which was sued for fueling the opioid crisis. It was accused of knowing that its system for detecting questionable prescriptions was inadequate and ignoring its employees' warnings about suspicious prescriptions. In Florida, one doctor was reported by several employees as "shady," overprescribing to patients who showed signs of "narcotic abuse." Despite that, between 2014 and 2018, Walmart filled more than 3,500 prescriptions for this doctor.¹⁴⁸ The Drug Enforcement Administration has also failed to address this epidemic. It

¹⁴⁵ BBC Three, *Addicted*.

¹⁴⁶ Barry Meier and Michael Barbaro, "The Family That Profited from the Opioid Crisis" *The New York Times*. 15 Mar. 2019, sec. Podcasts, online, Internet, 18 Feb. 2021. Available: <https://www.nytimes.com/2019/03/15/podcasts/the-daily/sackler-oxycontin-purdue-opioid-crisis.html>.

¹⁴⁷ BBC Three, *Addicted*.

¹⁴⁸ Katie Benner and Michael Corkery, "Justice Dept. Accuses Walmart of Fueling Opioid Crisis" *The New York Times*. 22 Dec. 2020, sec. Business, online, Internet, 18 Feb. 2021. Available: <https://www.nytimes.com/2020/12/22/business/walmart-opioid-lawsuit.html>.

has relied upon abusive police tactics, doubling down on prosecuting prescribers, leading major heroin seizures and high-profile prosecutions, while stopping the expansion of mobile methadone clinics, and shutting down addiction treatment providers without arranging alternative treatments for patients.¹⁴⁹ Many people who used to be prescribed opioids turned to heroin and fentanyl. As heroin was severely targeted, traffickers focused on a more compact and powerful drug: fentanyl. Fentanyl is a synthetic opioid 50 times more powerful than heroin.¹⁵⁰ In 2018, more than 31,000 deaths involved synthetic opioids. This is more deaths than from any other type of opioid. Synthetic opioid-involved death rates increased by 10% from 2017 to 2018 and accounted for 67% of opioid-involved deaths in 2018.¹⁵¹ Public officials were also blamed for not acting in society's interest. Investigations into Purdue dates back to 2000. However, Purdue gave money to public officials for them to keep documents secret as part of the settlement agreement. Thus, some people believe that had public officials acted in the public interest, the epidemic could have been controlled earlier and with less loss of life.¹⁵²

The opioid epidemic subverts the American Dream for two reasons. First, the profits of a few have been prioritized over a "better, richer, and fuller" life for many. Secondly, if one is an addict, one is not free to shape one's destiny and thus cannot have an equal "opportunity" "according to his ability or achievement." Although the Covid pandemic has drawn attention away from the opioid crisis, this crisis is still very much topical. An estimated 19,416 individuals died of drug overdoses in the first three months of 2020 compared with 16,682 in the same three-month period in 2019.¹⁵³

¹⁴⁹ Leo Beletsky and Jeremiah Goulka, "The Federal Agency That Fuels the Opioid Crisis" *The New York Times*, 18 Sep. 2018, sec. Opinion, online, Internet, 18 Feb. 2021. Available: <https://www.nytimes.com/2018/09/17/opinion/drugs-dea-defund-heroin.html>.

¹⁵⁰ BBC Three, *Addicted*.

¹⁵¹ "Synthetic Opioid Overdose Data" *Centers for Disease Control and Prevention*, 19 Mar. 2020, online, Internet, 18 Feb. 2021. Available: <https://www.cdc.gov/drugoverdose/data/fentanyl.html>.

¹⁵² Meier and Barbaro, "The Family That Profited from the Opioid Crisis."

¹⁵³ National Vital Statistics System, "Percent of Drug Overdose Deaths by Quarter and Demographic Characteristics: United States 2018-Q1 through 2020-Q1" *Centers for Disease Control and Prevention*. (n.d.): 1.

2. The Higher Education System

Both the healthcare system and the higher education system have been prioritizing profits over delivering *good* care and education for *all*. What should arguably be an affordable public good for citizens has largely become a high-priced private product for customers, leaving students with no other choice than to take on debts. Prices in higher education – as well as prices in healthcare – have gone way up since the 1980s. Just as the government was reluctant to perform its role as regulator in healthcare, a similar situation has occurred with higher education, leading prices to increase in higher education as they did for pharmaceutical products. The issue is that today, a college degree has become the equivalent of a high school degree fifty years ago: it is now often a prerequisite to obtaining most well-paying jobs. Americans with a college degree earn on average 75% more than those who only have a high school diploma.¹⁵⁴ Yet, high school is treated as a public good, while college is regarded as a private choice and personal responsibility. As a college degree has become increasingly necessary to climb the social ladder, higher education's high costs have become a substantial impediment to social mobility and equality of opportunity, and thus to fulfilling the American Dream.

Higher education has not always been considered a personal responsibility. In the 1940s-1960s, there was a realization that education enormously benefitted society as a whole. Thus, in 1944, President Roosevelt passed the G.I. Bill which offered to cover tuition and living expenses for veterans who wished to enroll in higher education. It was a way to thank them for their military service and prepare them to continue to serve their country in non-military civilian employment. It enabled access to education to many who would never have been able to go to university otherwise. Over two million veterans took advantage of this bill.

¹⁵⁴ Story by Amanda Ripley, "Why Is College in America So Expensive?" *The Atlantic*. 11 Sep. 2018, online, Internet, 25 Feb. 2021. Available: <https://www.theatlantic.com/education/archive/2018/09/why-is-college-so-expensive-in-america/569884/>.

This law paved the way to the Higher Education Act of 1965. “This law means that a high school senior can apply to any college and not be turned away because his family is poor,” explained Lyndon B. Johnson when he implemented the law. The Higher Education Act established the federal student aid program and the Pell Grant Scholarships. However, in the 1980s, conservatives, notably Reagan, promoted the idea that it was not the government’s job to educate Americans. As he put it: “the state should not subsidize intellectual curiosity.”¹⁵⁵ This led to major defunding of universities both on the federal and state level, even as education has become more of a necessity than an optional “intellectual curiosity.” State funding has decreased by 40% between 1980 and 2010, and college tuition has acted as a “release valve” and has gone up by 230%.¹⁵⁶ State defunding is not the only explanation for higher prices in higher education. Colleges also spend a lot, and not always on educators and education.

As public spending decreased, universities started to act more and more like businesses. To make up for the cuts, they have to be highly attractive in order to lure more students, especially richer students, as well as foreign and out-of-state students who pay on average double the in-state tuition. This led to a race which increased prices almost everywhere as every university had to keep up by adding more programs and more facilities at a faster rhythm than their competitors. More spending was done on amenities such as swimming pools, lazy rivers, or out of proportion student centers and on hiring new staff such as prestigious athletic coaches and administrators that have nothing to do with education. Since 1975, college staff grew by 75% in the faculty department against 240% in administration.¹⁵⁷ This has changed the view of education for young Americans, who now want to live the “college experience.” Although many statistics prove that going to college means higher

¹⁵⁵ Andrew Rossi, *Ivory Tower*, Documentary, 2015.

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

earnings and higher chances of having a job, the idea that it is the *only* way to succeed – and that by definition, other paths are of last resort – is advertised by universities to attract more students. Yet, it is not always true. The construction sector for instance is often overlooked by students, parents, and high school career counselors and often considered as a fallback. Students are advised to have higher aspirations and go to college – a sort of propaganda that is driven by universities seeking “customers.” It puts some students in a position where they can fail and lose confidence, when they could have gone to a technical training program that would have guaranteed them a well-paid job. Laborers in construction are paid an average of \$42,320 a year, carpenters \$53,150, starting plumbers between \$50,000-60,000, and managers \$103,960. Training time differs from four-week introductory courses to two-year trade school certificates. Contrary to what is advertised by universities, it does sound like a safe option. All the more so since the construction industry is experiencing a labor shortage. In 2020, there were between 223,000 and 332,000 job vacancies in this sector, while unemployment peaked at 15%.¹⁵⁸ Yet, the higher education system has become more entrepreneurial and very good at attracting more students. Presidents are like CEOs, with similar wages: nineteen presidents or chancellors of public universities make one million dollars or more in total compensation, with the average total compensation for chief executives of public institutions reaching \$544,136.¹⁵⁹ Students are openly treated like customers, assessing their experience with consumer satisfaction surveys at the end of each class.

One might wonder if this does not alter the quality of education as it seems that students have a lot of distractions provided to them on campus and that universities are turning away

¹⁵⁸ Arianne Cohen, “Why Finding Workers Is Getting Harder for U.S. Homebuilders” *Bloomberg.com*. 15 Jan. 2021, online, Internet, 8 Mar. 2021. Available: <https://www.bloomberg.com/news/articles/2021-01-15/finding-workers-is-getting-harder-for-busy-u-s-homebuilders>.

¹⁵⁹ Michael T. Nietzel, “Presidential Compensation at Public Universities: 19 CEOs Made One Million Dollars or more in 2019” *Forbes*. 17 Jul. 2020, online, Internet, 27 Feb. 2021. Available: <https://www.forbes.com/sites/michaelnietzel/2020/07/17/presidential-compensation-at-public-universities-19-ceos-made-one-million-dollars-or-more-in-2019/>.

from a strictly educational mission. Education may no longer be the primary concern if a university's goal is to obtain a high ranking within the market which would then enable them to charge more. Also, many school faculties are more rewarded for their research productivity than for their teaching. Teaching is not the sole focus, on the contrary, it can get in the way of one's research, scholarship, and grant-writing activities, notably in sciences. The research metric may have no relationship to whether students are learning or finishing what they started. According to the National Center for Education Statistics, for those who started their bachelor's degree at a four-year degree-granting institution in fall 2010, only 41% of first-time, full-time undergraduates received it within four years, 56% succeeded in five years, and 60% in six years.¹⁶⁰ The threat to learning that arises from a business-like management of universities was denounced as early as 1918 by Thorstein Veblen in his book *The Higher Learning in America: A Memorandum on the Conduct of Universities by Business Men*:

It appears, then, that the intrusion of business principles in the universities goes to weaken and retard the pursuit of learning, and therefore to defeat the ends for which a university is maintained.¹⁶¹

The apogee of higher education as a business is for-profit higher education. At first, for-profit schools were an alternative to overcrowded university colleges which offered vocational training and education to people who would normally not have access to it, such as young adults who need more flexibility as they work at the same time or people whose school record would not have been accepted in traditional higher education. Yet, for-profit schools turned out to be highly profitable. As more people wished to enroll in higher education, community colleges could not keep up and turned a lot of students away. This underserved market attracted investors. From 1998 to 2008, enrollment in for-profit schools more than tripled, to about 2.4 million students. Three-quarters are at colleges owned by either huge

¹⁶⁰ "Postsecondary Graduation Rates" *National Center for Education Statistics*. Feb. 2019, Available: https://nces.ed.gov/programs/raceindicators/indicator_red.asp.

¹⁶¹ Thorstein Veblen, *The Higher Learning in America: A Memorandum on the Conduct of Universities by Business Men*, 1918, p.168. Available: http://www.elegant-technology.com/resource/HI_LEARN.PDF.

publicly traded companies or private equity firms. To maximize their profit, they try to enroll as many students as possible and then nudge them to apply for government grants and guaranteed loans. Like businesses, these for-profit universities put the emphasis on sales and marketing to optimize their profits. Among thirty companies, the 2012 Harkin report, a report on for-profit colleges, found that an average of 22.4% of revenue went to marketing and recruiting, 19.4% to profits, and only 17.7% to instruction. According to this same report, taxpayers spent \$32 billion in 2011 on companies that manage for-profit colleges, while the majority of students they enroll leave without a degree, half of those within four months.¹⁶² Besides, their training and education have been called into question multiple times for not fitting with what is required on the job market.¹⁶³ The issue not only lies in the sometimes poor level of instruction, but also in the high cost of these for-profit institutions. Associate degree and certificate programs at for-profit colleges cost about four times as much as degrees at community colleges and public universities.¹⁶⁴ In order to afford these high costs, students take on debt. In 2018, 88% of students at for-profit schools took out loans, compared with about 66% at public colleges and 75% at private non-profit colleges.¹⁶⁵

Student debt is a major issue – be it for a non- or for-profit school. In 2020, the total student loan debt reached \$1.56 trillion.¹⁶⁶ Student debt is the most collectible debt there is as it is non-dischargeable in bankruptcy. The federal government can garnish wages, intercept tax refunds, it can sue students, they can become ineligible for federal employment and any other federal benefit.¹⁶⁷ Defaulting on a loan also destroys one’s creditworthiness at a time

¹⁶² Tamar Lewin, “Senate Committee Report on For-Profit Colleges Condemns Costs and Practices” *The New York Times*. 30 Jul. 2012, sec. Education, online, Internet, 27 Feb. 2021. Available: <https://www.nytimes.com/2012/07/30/education/harkin-report-condemns-for-profit-colleges.html>.

¹⁶³ Martin Smith and John Maggio, *College, Inc.*, Documentary, (FRONTLINE, 2010), online, Internet, 27 Feb. 2021. Available: <https://www.pbs.org/wgbh/frontline/film/collegeinc/>.

¹⁶⁴ Lewin, “Senate Committee Report on For-Profit Colleges Condemns Costs and Practices.”

¹⁶⁵ Zack Friedman, “Student Loan Debt Statistics In 2020: A Record \$1.6 Trillion” *Forbes*. 3 Feb. 2020, online, Internet, 27 Feb. 2021. Available: <https://www.forbes.com/sites/zackfriedman/2020/02/03/student-loan-debt-statistics/>.

¹⁶⁶ Ibid.

¹⁶⁷ Smith and Maggio, *College, Inc.*

when young Americans try to establish a career, buy a home, and might want to start a family. In 2019, the student loan delinquency or default rate was 10.8%.¹⁶⁸ However, this statistic is true if you follow those borrowers for only three years – the standard metric. However, if you look at a larger period of time, such as five years, the rate of those in financial distress is much higher: roughly 30% within five years.¹⁶⁹ Once you are in default, your debt grows. This is highly problematic, as it can condemn young Americans to pay a never-ending debt for most or all of their lives.

The current higher education system fails to reduce inequalities and instead exacerbates them. These high costs create a kind of elite higher education system to which not everybody has access. Americans spend about \$30,000 per student a year. This is nearly twice as much as in the average developed country.¹⁷⁰ For those who cannot afford it, it compels them to work to pay for their education, thus, making it difficult for them to spend as much time studying as other non-working students. Not to mention the stress it creates to juggle with both work and university, as well as the pressure to succeed to refund one's student loan. These high costs create unequal educational conditions. Often, these conditions were already unequal before higher education. Minority neighborhoods and low-income neighborhoods often have schools which are less funded than richer neighborhoods and lower-income student's parents are often less educated and cannot offer the same help and network as more affluent parents can. These factors create early discrepancies in working conditions and opportunities. The percentage of those who obtain their bachelor's degree who are in the top income quartile is greater than that of the other quartiles combined.¹⁷¹ Moreover, in the most prestigious institutions, 70% of students come from the top income quartile and only 5% from

¹⁶⁸ Friedman, "Student Loan Debt Statistics In 2020."

¹⁶⁹ Hacker, *The Great Risk Shift*, pp.174-5.

¹⁷⁰ Ripley, "Why Is College in America So Expensive?"

¹⁷¹ Suzanne Mettler, *Degrees of Inequality: How the Politics of Higher Education Sabotaged the American Dream*, (New York: Basic Books, 2014), p.24.

the bottom income quartile. This perpetuates inequality because degrees from the most prestigious institutions allow their graduates to earn more than others: 45% more than those who receive college degrees elsewhere.¹⁷²

The high cost of higher education and the inequality it exacerbates have created discontent and distrust. In recent years, a new movement has taken hold, notably in San Francisco: the “UnCollege” movement. It encourages high school graduates to skip college and “hack” their education. For many, higher education has become more of an impediment to the American Dream than a path leading to it, thus the “UnCollege” movement is for some an alternative path to the American Dream, as they become the agent of their own future. The “UnCollege” movement started with the Thiel Fellowship in 2010, created by the billionaire Peter Thiel. It offered 24 college students a \$100,000 to drop out of college and start their own business. Since then, 20 to 25 students are selected each year. This was largely inspired by the career history – and the successful American Dream – of the billionaires Mark Zuckerberg, Steve Jobs, and Bill Gates, all of whom dropped out of college. It was also born out of the idea that it is not worth paying so much for college, particularly since everyone cannot attend a prestigious school. Several programs exist today such as the UnCollege program which offers a gap year to “explore, focus, and launch.” To the criticism that he was putting young people at risk, Dale Stephens, founder of the UnCollege program answered:

I think it’s much riskier to go to college and take on \$20,000 of debt for a year, and then have miserable job prospects when you get out and have to start repaying that debt. That seems like a really high risk to me.¹⁷³

The current higher education system, where profits are the sole focus, exacerbates inequality and makes social mobility harder to fulfill as higher education, which is often

¹⁷² Anthony P. Carnevale and Jeff Strohl, “How Increasing College Access Is Increasing Inequality, and What to Do about It” in *Rewarding Strivers*. by Richard D. Kahlenberg., (The Century Foundation, 2010), p.31.

¹⁷³ Rossi, *Ivory Tower*.

advertised as essential, can be a risky investment which cannot be afforded by all, and thus can represent an impediment to the American Dream.

III. Racism: The Ultimate and Persisting Subversion of Equality

The American Dream is a dream of equality of rights and opportunity. Thus, the persistence of racial inequality jeopardizes the American Dream.

A. Structural Racism

Racial inequality in the US is engraved within and perpetuated by society. This is now called structural racism. The Aspen Institute defines structural racism as follows:

A system in which public policies, institutional practices, cultural representations, and other norms work in various, often reinforcing ways to perpetuate racial group inequity. It identifies dimensions of our history and culture that have allowed privileges associated with “whiteness” and disadvantages associated with “color” to endure and adapt over time. Structural racism is not something that a few people or institutions choose to practice. Instead, it has been a feature of the social, economic, and political systems in which we all exist.¹⁷⁴

Structural racism or systemic racism segregates and diverts racial minorities from upward social mobility by making it more difficult for them to secure quality jobs, education, healthcare, housing, and equal treatment in the criminal justice system. Here are a few examples of structural racism: black workers earn 85 cents for every dollar earned by white workers¹⁷⁵ and the black unemployment rate was twice the white unemployment rate in the first quarter of 2020 (6.3% for African Americans, 4.8% for Hispanic Americans, and 3.1% for white Americans).¹⁷⁶ This makes it harder for racial minorities to accumulate wealth, thus widening the wealth gap: in 1963, the average wealth of white families was \$121,000 higher than the average wealth of nonwhite families; by 2016, the average wealth of white families

¹⁷⁴ “Glossary for Understanding the Dismantling Structural Racism/Promoting Racial Equity Analysis” (The Aspen Institute, n.d.), Available: <https://www.aspeninstitute.org/wp-content/uploads/files/content/docs/rcc/RCC-Structural-Racism-Glossary.pdf>.

¹⁷⁵ Janelle Jones, John Schmitt, and Valerie Wilson, “50 Years after the Kerner Commission: African Americans Are Better Off in many Ways but are still Disadvantaged by Racial Inequality” *Economic Policy Institute*. 26 Feb. 2018, online, Internet, 8 Mar. 2021. Available: <https://www.epi.org/publication/50-years-after-the-kerner-commission/>.

¹⁷⁶ Jhacova Williams, “2020Q1-Q2 | State Unemployment by Race and Ethnicity” *Economic Policy Institute*. Aug. 2020 1, online, Internet, 8 Mar. 2021. Available: <https://www.epi.org/indicators/state-unemployment-race-ethnicity/>.

(\$919,000) was over \$700,000 higher than the average wealth of black families (\$140,000) and of Hispanic families (\$192,000). It means that in 2016, white family wealth was respectively seven times and five times greater than African American and Hispanic family wealth.¹⁷⁷ Concerning education, structural racism can be seen in the differential treatment of black and white students. A study found that black students are 54% less likely than white students to be recommended for gifted-education programs (after adjusting for factors such as students' standardized test scores). Yet, black students are three times more likely to be recommended for the program if their teacher is black rather than white.¹⁷⁸ Regarding healthcare, the latest successful attempt to exclude African Americans was done by the states which refused to expand Medicare. Under the 2010 Affordable Care Act, Medicaid was expanded for adults with incomes up to 138% of the federal poverty level. While this expansion was written as a requirement for all states, a 2012 Supreme Court ruling in *National Federation of Independent Business v. Sebelius* decided otherwise. Some states, mostly in the South, added harsh work requirements for the participation in the Medicaid program. In 2017, 58% of the African American population lived in the South. While the ACA did help 2.8 million African Americans to get coverage, the states' restrictions made it much less efficient. In 2018, 9.7% of African Americans were uninsured against 5.4% of white Americans.¹⁷⁹ Structural racism can even be found within medicine. A 2016 survey of 222 white medical students and residents shows that half of them endorsed at least one myth about physiological differences between black people and white people (such as differences in pain management, the fact that black people's nerve endings are less sensitive than white

¹⁷⁷ "Nine Charts about Wealth Inequality in America (Updated)" *Urban Institute*. 5 Oct. 2017, online, Internet, 8 Mar. 2021. Available: <http://urbn.is/wealthcharts>.

¹⁷⁸ Kirsten Weir, "Inequality at School" *American Psychological Association*. Nov. 2016, online, Internet, 8 Mar. 2021. Available: <https://www.apa.org/monitor/2016/11/cover-inequality-school>.

¹⁷⁹ Jamila Taylor, "Racism, Inequality, and Health Care for African Americans" *The Century Foundation*. 19 Dec. 2019, online, Internet, 8 Mar. 2021. Available: <https://tcf.org/content/report/racism-inequality-health-care-african-americans/>.

people's, and that their skin is thicker than white skin).¹⁸⁰ Due to these beliefs, some African Americans can receive inadequate treatments. A 2013 review of studies found that black and Hispanic people received inadequate pain management treatment compared with their white counterparts.¹⁸¹

Structural racism prevents African Americans from having the same opportunity and treatment as their white counterparts. In that sense it challenges the American Dream. All the more so as people of color's condition is instrumentalized and perpetuated by some corporations and politicians. Since structural racism can take various forms in several areas, two other areas will be analyzed in more depth in two case-studies: housing and the criminal justice system.

1. Perpetuating Racial Exclusion: The Impact of Housing Segregation

Neighborhoods of concentrated poverty are *not* inevitable; they were born out of discriminatory public policies and private practices. African Americans were pushed from one place to another to suit white people's desires. Before the civil war, enslaved black people were kept close to their masters for them to control slaves' work and prevent revolts. When slavery was abolished, black people were pushed out of sight, in ghettos. Several discriminatory practices were put into place to keep racial minorities separated from white people. In 1933 began what Richard Rothstein, author of *The Color of Law* (2017), calls a "state-sponsored system of segregation."¹⁸² It was the fourth year of the Great Depression and millions of people had lost their homes to foreclosure or were headed in this direction.

President Franklin Roosevelt created the Home Owner's Loan Corporations (HOLC) to buy

¹⁸⁰ Kelly M. Hoffman et al., "Racial Bias in Pain Assessment and Treatment Recommendations, and False Beliefs about Biological Differences between Blacks and Whites" *Proceedings of the National Academy of Sciences*. 113.16 (2016): 4296–4301.

¹⁸¹ Ronald Wyatt, "Pain and Ethnicity" *AMA Journal of Ethics*. 15.5 (2013): 449–454.

¹⁸² "A 'Forgotten History' of How the U.S. Government Segregated America" *NPR.org*. n.d., online, Internet, 9 Mar. 2021. Available: <https://www.npr.org/2017/05/03/526655831/a-forgotten-history-of-how-the-u-s-government-segregated-america>.

soon-to-be foreclosed mortgages and refinance them into new government mortgages so that people could keep their homes. Yet, maps were made by the HOLC which color-coded in red the neighborhoods that were considered risky investments in order to discourage bank loans, mortgages, and insurance there. This was called redlining. Almost any areas where African Americans lived or lived nearby were colored in red. Many private banks copied federal redlining practices when making their mortgage decisions. These red neighborhoods would thus receive no investments and be doomed to decay. In 1934, the government created the Federal Housing Administration (FHA). It subsidized home builders to mass-produce entire subdivisions for white people and required that none of the homes be sold to African Americans. It was done on the ground that if African Americans bought homes within or near these suburbs, the property values of the white homes they were insuring would fall and thus their loans would be at risk. The FHA's *Underwriting Manual* stated that "incompatible racial groups should not be permitted to live in the same communities" and advised to build walls or highways to make sure that African Americans would not go in white districts.¹⁸³ In the 1950s came the so-called "urban renewal" projects which destroyed many black neighborhoods and displaced their residents in the same areas. It was denounced in the 1960s, most notably by James Baldwin: "urban renewal means Negro removal."¹⁸⁴ With the 1956 Federal-Aid Highway Act, it became increasingly common to destroy poor racial minority neighborhoods, or to use highways as dividing lines between black and white districts. Public housing also nourished segregation. Instead of alleviating poverty and offering new opportunities to low-income racial minority families, it reinforced segregation as public housing was built in already poor, racially segregated communities. Public housing reinforced the concentration of poverty: sufficient funding was not provided, the 1969 Brooke Amendment capped rents at

¹⁸³ Ibid.

¹⁸⁴ *Urban Renewal...Means Negro Removal. James Baldwin (1963)*, online, Internet, 9 Mar. 2021. Available: <https://www.youtube.com/watch?v=T8Abhj17kYU>.

30% of the tenant's income, and the Reagan administration later gave homeless individuals priority for public housing. These facts pushed families who could afford better options to flee and led to a high concentration of poverty in these neighborhoods. Besides, public housing often included multi-bedroom units which means that these accommodations were mostly occupied by large families, creating an "unnatural adult-child ratio that contributed to vandalism and disorder."¹⁸⁵

These discriminatory policies have had two impacts on racial minorities: a lower rate of homeownership and a poorer quality of life and opportunities. First, homeownership for African Americans has virtually remained unchanged since housing segregation was made illegal by the 1968 Fair Housing Act. In 1968, the homeownership rate for African Americans was 41.1%.¹⁸⁶ In 2020, 74.5% of white people, 49.1% of Latinos, and 44.1% of African Americans owned their home.¹⁸⁷ One of the reasons for this persistent pattern is the legacy of redlining and segregation which have limited people of color's access to traditional credit and instead have largely exposed them to predatory lending sources. A study shows that majority-nonwhite census tracts across Atlanta, Detroit, Houston, and Oakland have 35.1% fewer traditional banking establishments than majority-white tracts, while there are twice as many alternative banking establishments offering lower quality credit, such as payday loans,¹⁸⁸ in majority-nonwhite census tracts than in majority-white tracts.¹⁸⁹ These unequal homeownership rates prevent racial minorities from accumulating wealth as white people do. Indeed, home equity is one of the most important forms of wealth for working- and middle-

¹⁸⁵ Susan J. Popkin, "Public Housing and the Legacy of Segregation" *Urban Institute*. 19 Aug. 2013, online, Internet, 9 Mar. 2021. Available: <https://www.urban.org/urban-wire/public-housing-and-legacy-segregation>.

¹⁸⁶ Jones, Schmitt, and Wilson, "50 years after the Kerner Commission."

¹⁸⁷ *Quarterly Residential Vacancies and Homeownership, Fourth Quarter 2020*, (U.S. Census Bureau, February 2, 2021), Available: <https://www.census.gov/housing/hvs/files/currenthvspress.pdf>.

¹⁸⁸ Payday loan is a short-term unsecured loan. Its principal is usually a portion of one's next paycheck. It is considered predatory lending because it often has high interests, hidden provisions that charge borrowers added fees, and do not consider a borrower's ability to repay.

¹⁸⁹ Cheryl Young and Felipe Chacón, *50 Years After the Fair Housing Act – Inequality Lingers*, (Trulia, April 19, 2018), online, Internet, 9 Mar. 2021. Available: <https://www.trulia.com/research/50-years-fair-housing/>.

class families. Moreover, homeownership increases intergenerational economic mobility as parental homeownership increases young adults' homeownership propensity by 7 to 8 percentage points.¹⁹⁰

Secondly, the neighborhood one lives in has an impact on many other areas: quality of education, quality of food available, safe and healthy recreational facilities, job opportunities, exposure to crime and violence. All of the latter have a substantial influence on one's physical and emotional well-being, as well as upward social mobility. Regarding education, since schools rely heavily on local taxes, richer predominantly white neighborhoods have greater property tax revenue to support their school system while school districts that predominantly serve students of color have less funding. In 2016, despite serving the same number of students, school districts that predominantly served students of color received \$23 billion less in funding than mostly white school districts. On average, nonwhite districts received about \$2,200 less per student than predominantly white districts.¹⁹¹ This lower funding naturally has an impact on the quality of the school system: schools which predominantly serve poor, or minority students have higher incidence of school violence, poorer infrastructures, more less-experienced teachers, and poorer internet connection. Educational outcomes are also lower than those in predominantly white schools.¹⁹² Even if school segregation was ruled illegal by the 1954 *Brown vs. Board* Supreme Court decision, the percentage of high poverty schools with mostly African American or Hispanic students has more than doubled since 2000.¹⁹³ In 2016, more than half of American schoolchildren were in racially concentrated districts,

¹⁹⁰ Jung Hyun Choi and Laurie Goodman, "What Explains the Homeownership Gap between Black and White Young Adults?" *Urban Institute*. 20 Nov. 2018, online, Internet, 9 Mar. 2021. Available: <https://www.urban.org/urban-wire/what-explains-homeownership-gap-between-Black-and-white-young-adults>.

¹⁹¹ Sarah Mervosh, "How Much Wealthier Are White School Districts Than Nonwhite Ones? \$23 Billion, Report Says" *The New York Times*. 27 Feb. 2019, sec. Education, online, Internet, 9 Mar. 2021. Available: <https://www.nytimes.com/2019/02/27/education/school-districts-funding-white-minorities.html>.

¹⁹² Sheila Murray and Kim Rueben, "Racial Disparities in Education Finance: Going Beyond Equal Revenues" *Urban Institute*. (2008): 21.

¹⁹³ Matthew Green, "Why Are American Public Schools Still So Segregated?" *KQED*. 7 Feb. 2018, online, Internet, 9 Mar. 2021. Available: <https://www.kqed.org/lowdown/30098/why-have-americas-public-schools-gotten-more-racially-segregated>.

where over 75% of students had the same skin color.¹⁹⁴ Regarding healthcare, due to housing segregation, a majority of African American and Hispanic neighborhoods are more likely to lack hospitals and other healthcare providers. A study found that the odds of lacking primary care physicians are 67% for predominantly African American neighborhoods, and 27% for mostly Hispanic neighborhoods. For African American neighborhoods, the higher the degree of segregation is, the higher the odds of primary care physician shortage are. Besides, healthcare providers located within African American and Hispanic neighborhoods tend to offer lower-quality care.¹⁹⁵ Moreover, as mentioned earlier regarding obesity, poor minority neighborhoods tend to lack access to adequate nutritious food and safe places to exercise. Thus, racial minorities have higher obesity rates and experience more food insecurity which can trigger many illnesses such as diabetes, hypertension, and heart and lung disease. The latest example of the impact of structural racism on people of color's health was Covid-19. African Americans and Latinos are respectively 1.9 times and 2.3 times more likely to die than white Americans.¹⁹⁶ Since the illnesses just mentioned are among the risk factors for developing a severe case of Covid-19, racial minorities are more likely to die. Furthermore, racial minorities are less able to engage in social distancing and it was evaluated that only one in five black workers and roughly one in six Hispanic workers were able to work from home as they were often "frontline workers."¹⁹⁷ Finally, poor minority neighborhoods tend to have fewer local job opportunities and greater exposure to crime and violence which can negatively impact both mental health and upward social mobility.

¹⁹⁴ Mervosh, "How Much Wealthier Are White School Districts Than Nonwhite Ones?"

¹⁹⁵ Darrell J Gaskin et al., "Residential Segregation and the Availability of Primary Care Physicians" *Health Services Research*. 47.6 (2012): 2353–2376.

¹⁹⁶ "Risk for COVID-19 Infection, Hospitalization, and Death By Race/Ethnicity" *Centers for Disease Control and Prevention*. 11 Feb. 2020, online, Internet, 9 Mar. 2021. Available: <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>.

¹⁹⁷ Khiara M. Bridges, "The Many Ways Institutional Racism Kills Black People" *Time*. 11 Jun. 2020, online, Internet, 9 Mar. 2021. Available: <https://time.com/5851864/institutional-racism-america/>.

Discriminatory public policies created housing segregation which has had several lasting impacts on people of color. Housing segregation has perpetuated inequality, as people of color have been deprived of equal access to safe neighborhoods with good schools, efficient healthcare providers, and well-paying jobs, making upward social mobility and a “better, richer, and fuller” life harder to experience “for every man.”

2. Perpetuating Racial Exclusion: From Slavery to Mass Incarceration

Mass incarceration is also part of structural racism, confining black people to inferior positions and depriving them of equality of treatment and opportunity. Whenever African American people asserted their independence or showed some success, strategies were put into place to fight back against it. When the 13th Amendment was passed to abolish slavery, it created a loophole:

Neither slavery nor involuntary servitude, *except as a punishment for crime* whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.¹⁹⁸

This loophole was exploited as soon as the Reconstruction period started. Convict leasing, a system of forced penal labor, was used to take back African Americans’ freedom and exploit them. They were arrested in mass as white people invented trivial offenses such as vagrancy, loitering, or being a group of black people out after dark.¹⁹⁹ The mythology of black dangerousness and criminality was born. At the same time, the lynching of black people under the idea that they had done something criminal was increasingly common. Black people were publicly tortured and assassinated. When this form of open terrorism became unacceptable, oppression and exclusion were perpetuated in a way that was more legal: segregation through the Jim Crow Laws. These laws legalized segregation and the white preference that African

¹⁹⁸ *The 13th Amendment of the U.S. Constitution*, 1865, online, Internet, 14 Apr. 2021. Available: <https://constitutioncenter.org/interactive-constitution/amendment/amendment-xiii>.

¹⁹⁹ Bryan Stevenson, “Why American Prisons Owe Their Cruelty to Slavery” *The New York Times*. 14 Aug. 2019, sec. Magazine, online, Internet, 5 Mar. 2021. Available: <https://www.nytimes.com/interactive/2019/08/14/magazine/prison-industrial-complex-slavery-racism.html>.

Americans be of second-class status. When the laws were abolished in the 1960s, exclusion of black people was sustained through another strategy: mass incarceration.

Mass incarceration started in the 1970s under President Nixon who created the rhetoric that would be used for several decades: the need to be “tough on crime,” using the famous slogans about “law and order” and a “war on drugs.” He defined drug abuse not as a health issue, but a crime issue, calling it “America’s public enemy number 1.”²⁰⁰ It was a political strategy, dubbed the Southern strategy, whose goal was to encourage white Southerners to join the Republican party by sowing division within the Democratic party; but it was also a strategy to stop black people from gaining power through movements such as Black Power or the Black Panther Party. Nixon’s advisor, John Ehrlichman, later admitted that picturing black people as drug addicts and criminals was a strategy to weaken their movements:

The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I’m saying? We knew we couldn’t make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.²⁰¹

The prison population grew from 357,292 in 1970 to 513,900 in 1980. Yet, it is under President Reagan that the rhetorical war became a literal one. Even though drug abuse was not an issue at the time for most people, Reagan was determined to define it as a major problem.²⁰² Crack cocaine was defined as the main enemy and punished much more severely than powder cocaine – the latter being favored by more affluent people such as Wall Street traders. The 1986 Anti-Drug Abuse Act wrote this difference of treatment into law: the possession of 5g of crack cocaine resulted in a minimum sentence of 5 years of prison without

²⁰⁰ Ava DuVernay, *13th*, Documentary, (Forward Movement, Kandoo Films, Netflix, 2016).

²⁰¹ Ibid.

²⁰² Ibid.

parole while the act mandated the same sentence for possession of 500g of powder cocaine.²⁰³ There is a significant difference between the two: crack cocaine is cheaper, and thus mostly used by low-income minorities. Today, African Americans are still 3.6 times more likely than whites to be arrested for selling drugs and 2.5 times more likely to be arrested for possessing drugs; while whites are actually more likely to sell drugs and as likely to consume them.²⁰⁴ The focus was put heavily on the type and quantity of drugs and not on the role the offender played; this means that low-level offenders were given the same sentences as major offenders. This explains why today 93% of those convicted of drug trafficking are low-level offenders.²⁰⁵ One year after Reagan's mandate, in 1990, the prison population had grown from 513,900 in 1980 to 1,179,200.²⁰⁶ Being "tough on crime" had become one of the most important issues for American public opinion. Thus, after suffering two successive losses, Democrats had to adapt. Bill Clinton campaigned on a much tougher stance than Democrats usually do. Once elected president, he implemented major laws that arguably led to a substantial increase in mass incarceration: the three-strike laws, mandatory minimum sentencing, and the truth-in-sentencing. The three-strike laws sentence people who commit one severe felony after two previous convictions to mandatory life sentence in prison. Mandatory minimum sentencing requires offenders to serve a predefined term for certain crimes, which is defined by the legislation, not by the judicial system. It means that judges – in theory the most neutral party in court – are no longer to consider the circumstances around a crime, but instead a mandatory minimum is set by prosecutors, 95% of whom are white.²⁰⁷

²⁰³ This 100 :1 ratio was reduced to 28 :1 in 2010 with the Fair Sentencing Act.

²⁰⁴ Jonathan Rothwell, "How the War on Drugs Damages Black Social Mobility" *Brookings*. 30 Sep. 2014, online, Internet, 7 Mar. 2021. Available: <https://www.brookings.edu/blog/social-mobility-memos/2014/09/30/how-the-war-on-drugs-damages-Black-social-mobility/>.

²⁰⁵ "Unjust Mandatory Minimums" *The New York Times*. 19 Feb. 2013, sec. Opinion, online, Internet, 6 Mar. 2021. Available: <https://www.nytimes.com/2013/02/19/opinion/unjust-mandatory-minimum-prison-sentences.html>.

²⁰⁶ DuVernay, *13th*.

²⁰⁷ David A. Graham, "Does It Matter That Most States Elect No Black Prosecutors?" *The Atlantic*. 7 Jul. 2015, sec. Politics, online, Internet, 5 Mar. 2021. Available:

The truth-in-sentencing requires offenders to serve a substantial portion of the prison sentence imposed by the court before being eligible for release – usually about 85% of the prison sentence. It virtually removed the right to parole. These laws meant that more people were sentenced to jail time and that they were to stay imprisoned longer. In 1990, the US prison population was 1,179,200; in 2000, it was 2,015,300.²⁰⁸ There has been a 500% increase in the incarceration rate in the past forty years and 67% of the prisoners are people of color when they represent only 37% of the population.²⁰⁹

Racial minorities' exclusion is not only a political strategy used both to gain power and to repress minorities, but it also proved itself to be highly profitable. Both prison operators and vendors make profits out of mass incarceration. As the US prison population boomed due to the war on drugs, the Bureau of Prisons started contracting with private prisons which act as an extension of the public system. The system of private prisons is still minimal in comparison to public ones. In 2016, one in twelve prisoners was incarcerated in a private prison.²¹⁰ Still, private prisons pose a humanitarian issue because their goal is not rehabilitation but rather profits. It is in their interest to have as many people incarcerated as possible, to hold them there longer, and to provide them with the barest necessities to maximize their profits. GeoGroup and CoreCivic – the two main companies that own and manage private prisons – respectively had revenues of \$2.48 billion²¹¹ and \$1.98 billion²¹² in

<https://www.theatlantic.com/politics/archive/2015/07/american-prosecutors-are-incredible-whitedoes-it-matter/397847/>.

²⁰⁸ DuVernay, *13th*.

²⁰⁹ “Criminal Justice Facts” *The Sentencing Project*. n.d., online, Internet, 5 Mar. 2021. Available: <https://www.sentencingproject.org/criminal-justice-facts/>.

²¹⁰ Kara Gotsch and Vinay Basti, “Capitalizing on Mass Incarceration: U.S. Growth in Private Prisons” *The Sentencing Project*. 2 Aug. 2018, online, Internet, 6 Mar. 2021. Available: <https://www.sentencingproject.org/publications/capitalizing-on-mass-incarceration-u-s-growth-in-private-prisons/>.

²¹¹ “The GEO Group Reports Fourth Quarter and Full-Year 2019 Results,” 12 Feb. 2020, online, Internet, 7 Mar. 2021. Available: <https://www.businesswire.com/news/home/20200212005197/en/The-GEO-Group-Reports-Fourth-Quarter-and-Full-Year-2019-Results>.

²¹² “CoreCivic Reports Fourth Quarter and Full Year 2019 Financial Results” *GlobeNewswire News Room*. 12 Feb. 2020, online, Internet, 7 Mar. 2021. Available: <http://www.globenewswire.com/news-release/2020/02/12/1984157/0/en/CoreCivic-Reports-Fourth-Quarter-and-Full-Year-2019-Financial-Results.html>.

2019. Corrections Corporation of America's (now-Core Civic) 2010 Annual Report sums up well the extent to which they rely on mass incarceration to make profits:

Our growth is generally dependent upon our ability to obtain new contracts to develop and manage new correctional and detention facilities. This possible growth depends on a number of factors we cannot control, including crime rates and sentencing patterns in various jurisdictions and acceptance of privatization. The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts, leniency in conviction or parole standards and sentencing practices or through the decriminalization of certain activities that are currently proscribed by our criminal laws.²¹³

To gain more control, GeoGroup and CoreCivic used to be members of the American Legislative Exchange Council (ALEC), before leaving in 2010 when the organization's actions became known to the public. ALEC is a lobbying organization composed of both politicians – roughly one in four state legislators are members²¹⁴ – and corporations. Its goal is to write conservative laws that will benefit at least one of their corporate funders. At the time of GeoGroup and CoreCivic membership, ALEC proposed the three-strike laws, mandatory minimum sentences, and truth-in-sentencing. These laws provided an influx of prisoners to prison operators. The fact that there were more people incarcerated and more low-level offenders was profitable: overcrowded prisons have a lower price-per-inmate figure and low-level offenders have lower incarceration costs because they are placed in minimum and medium security prisons which require fewer staff.²¹⁵ It means that they cost less to prison operators, which can make more profits out of taxes. Now that public opinion on mass incarceration has become more negative, notably thanks to the Black Lives Matter movement, ALEC members such as the American Bail Coalition promote less incarceration but more tools such as GPS monitors (produced by the American Bail Coalition). Operators are not the only one to make profits out of punishment. The prison phone industry, for example, is

²¹³ Gotsch and Basti, "Capitalizing on Mass Incarceration."

²¹⁴ DuVernay, *13th*.

²¹⁵ Brian Kincaid, "The Economics of the American Prison System" *SmartAsset*. 21 May 2018, online, Internet, 7 Mar. 2021. Available: <https://smartasset.com/mortgage/the-economics-of-the-american-prison-system>.

estimated to be a \$1.2 billion industry, dominated by two companies, Global Tel Link and Securus Technologies.²¹⁶ These companies inflate the price they charge to inmates and their families. For instance, in Maryland, if you earn the minimum wage, you will have to work one hour and a half to afford a ten-minute phone call.²¹⁷ These companies take advantage of the emotional distress of inmates to maximize their profits. Other companies in healthcare, such as Corizon Health which earns about \$1.4 billion in annual revenue, have been accused of providing little care and poor-quality care to cut their costs. Between 2011 and 2016, Corizon Health has been named as a defendant in at least 660 malpractice lawsuits.²¹⁸ The problem is that these companies sign long-term contracts which means that no matter how poor the service is, they are going to be paid anyway. Thus, it pushes them to cut their costs to maximize their profits. Prisons have also been accused of underfeeding inmates for them to buy products at high costs at the commissary. Basic commissary items such as cereals and canned soup can cost five times the retail price.²¹⁹ Finally, because of the 13th Amendment loophole, penal labor is allowed in the US, and in some prisons, is mandatory. Inmates work for no wages or a very low one – between 23 cents to \$1.15 an hour.²²⁰ Prisoners can work for the prison itself, cooking or cleaning, which enables prisons to make even more profit instead of paying a company to provide those services. Inmates can also work for other companies. UNICOR, a prison labor program provides prison-made goods and services to private companies at rock-bottom prices. While this program was created with the intention of teaching prisoners job-skills to help their rehabilitation, the lack of wage, or the very low

²¹⁶ Clint Smith, “While Prisoners Struggle to Afford Calls to Their Families, States Are Making a Profit. This Must Stop Now” *Time*. 24 May 2019, online, Internet, 7 Mar. 2021. Available: <https://time.com/5595475/prison-phone-calls-connecticut-law/>.

²¹⁷ DuVernay, *13th*.

²¹⁸ Eric Markowitz, “Making Profits on the Captive Prison Market” *The New Yorker*. 4 Sep. 2016, online, Internet, 7 Mar. 2021. Available: <https://www.newyorker.com/business/currency/making-profits-on-the-captive-prison-market>.

²¹⁹ *Ibid*.

²²⁰ Alexia Fernández Campbell, “The Federal Government Markets Prison Labor to Businesses as the “Best-Kept Secret”” *Vox*. 24 Aug. 2018, online, Internet, 7 Mar. 2021. Available: <https://www.vox.com/2018/8/24/17768438/national-prison-strike-factory-labor>.

wages they are provided create a labor-market incentive for mass incarceration as they produce products at a very low price. Besides, the fact that 67% of prisoners are people of color²²¹ makes it hard not to compare today's penal labor with slavery – especially considering the poor conditions of life in prison. As everybody tries to maximize their profits, mass incarceration has become monetized, and the goal of rehabilitation does not seem to be a priority.

Mass incarceration is not only perpetuated by the legislative system and encouraged by financial interests, but also by the judicial system which is highly unequal. First, it treats people better if they are rich and guilty than if they are poor and innocent. Once arrested, the defendant – innocent or guilty – can post bail. For those who cannot afford it, they have to go to prison. As Bryan Stevenson, a lawyer and social justice activist, puts it: “Wealth, not culpability, shapes outcomes.”²²² This is all the truer as people with low-income tend to live in low-income neighborhoods. These neighborhoods tend to have more police patrols than richer neighborhoods, and thus more arrests. This hurts racial minorities more as they have higher poverty rates: 18.8% in 2019 for African Americans, 15.7% for Hispanic Americans, against 7.3% for white Americans.²²³ After being proposed to post bail, what typically happens is that defendants are pressured into taking plea bargains.²²⁴ As federal laws dictate similar behavior and are written broadly, prosecutors have multiple charges from which to choose.²²⁵ Thus, they can threaten defendants who would like to exercise their right to trial with longer sentences than they would have if they take the plea. On average, federal

²²¹ “Criminal Justice Facts.”

²²² DuVernay, *13th*.

²²³ John Creamer, “Poverty Rates for Blacks and Hispanics Reached Historic Lows in 2019” *The United States Census Bureau*. 15 Sep. 2020, online, Internet, 7 Mar. 2021. Available: <https://www.census.gov/library/stories/2020/09/poverty-rates-for-Blacks-and-hispanics-reached-historic-lows-in-2019.html>.

²²⁴ A plea bargain is an agreement between the defendant and the prosecutor in which the defendant pleads guilty in exchange of some kind of concession from the prosecutor.

²²⁵ Rachel E. Barkow, “The Problem With Mandatory Minimum Sentences” *The New York Times*. 19 Aug. 2012, online, Internet, 7 Mar. 2021. Available: <https://www.nytimes.com/roomfordebate/2012/08/19/do-prosecutors-have-too-much-power/the-problem-with-mandatory-minimum-sentences>.

defendants who choose to exercise their right to a jury trial receive a sentence three times longer than those who plead. This results not only in the virtual loss of the jury trial – today, 97% of federal convictions are the result of guilty pleas²²⁶ – but also in the loss of the opportunity to confront police misconduct in criminal proceedings. For innocent defendants whose rights have been violated by the police, jury trial is the only way to obtain accountability. However, due to the pressure of prosecutors, many do not dare to do it.²²⁷ For those brave enough, they are often offered last-minute generous plea deals that are described as a “one-time offer.” These pressure tactics often work, which means that police officers often know that they will not be held accountable for their actions. One of the reasons for dissuading defendants from exercising their right to trial is that there are so many people being arrested, that the system would collapse if everyone decided to go to trial.²²⁸ Moreover, the problem with this system – and especially with mandatory minimums – is that it gives too much power to prosecutors who not only pressure people into taking plea bargains, but also disproportionately punish people of color. Prosecutors give defendants points (based on the severity of their crime, the circumstances of their arrest, and whether or not they have prior convictions) to determine the minimum sentence required. In a study²²⁹ based on the state of Florida, it was found that prosecutors disregard the guidelines and sentence black defendants for longer prison terms in 60% of felony cases, 68% of serious first-degree crime, 45% for burglaries, and 30% for battery.²³⁰

²²⁶ DuVernay, *13th*.

²²⁷ Scott Hechinger, “How Mandatory Minimums Enable Police Misconduct” *The New York Times*. 25 Sep. 2019, sec. Opinion, online, Internet, 7 Mar. 2021. Available: <https://www.nytimes.com/2019/09/25/opinion/mandatory-minimum-sentencing.html>.

²²⁸ DuVernay, *13th*.

²²⁹ Josh Salman, Emily Le Coz, and Elizabeth Johnson, *Same Background. Same Crime. Different Race. Different Sentence.*, (Herald Tribune, December 12, 2016), online, Internet, 7 Mar. 2021. Available: <http://projects.heraldtribune.com/bias/sentencing>.

²³⁰ Battery is defined in common law as “any unlawful and or unwanted touching of the person of another by the aggressor, or by a substance put in motion by him.”

This system of mass incarceration is huge. The US represents 5% of the world's population and 25% of the world's prison population. Most importantly, as discussed previously, the system targets mainly minorities. The likelihood for a white man to go to prison is 1 in 17, when it is 1 in 4 for African Americans.²³¹ Furthermore, the system fails to rehabilitate people as 83% of the released prisoners are rearrested within nine years.²³² Not only is the system not working, but it destroys generations. A study shows that there would be 20% less poverty in the US today if the mass incarceration of the last decades had not happened.²³³ Incarceration confines people in lower social classes. It diminishes social and economic opportunities for those who are already the most socio-economically disadvantaged. A study found that a criminal record reduces callbacks from employers by around 50% and this effect is larger for blacks than whites. Incarceration also impacts ex-inmates' future employment and earnings. The same study found that incarceration was associated with a 40% reduction in earnings, reduced job tenure, reduced hourly wages, and higher unemployment.²³⁴ Incarceration also has an impact on the overall quality of life of the family and the future of children. Half of all prisoners in the US have children under age 18.²³⁵ Since the majority of people going to prison are poor, racial minorities, and less educated, their children already have lower life chances as they are most likely to live in high-risk neighborhoods and to attend underperforming schools. On top of that, the incarceration of a parent can add impediments: loss of stability, loss of household income, and stigma. Studies have found that the incarceration of a parent can increase the likelihood of behavioral issues

²³¹ DuVernay, *13th*.

²³² "Measuring Recidivism" *National Institute of Justice*. 20 Feb. 2008, online, Internet, 7 Mar. 2021. Available: <https://nij.ojp.gov/topics/articles/measuring-recidivism>.

²³³ *The Relationship Between Poverty & Mass Incarceration*, (Center for Community Change), Available: https://www.masslegalservices.org/system/files/library/The_Relationship_between_Poverty_and_Mass_Incarceration.pdf.

²³⁴ Bruce Western and Becky Pettit, "Incarceration and Social Inequality" (2010): 19.

²³⁵ Kim Howard and Richard V. Reeves, *Will Less Incarceration Mean More Social Mobility?*, (Brookings Institution, September 5, 2013), online, Internet, 7 Mar. 2021. Available: <https://www.brookings.edu/blog/social-mobility-memos/2013/09/05/will-less-incarceration-mean-more-social-mobility/>.

which can later result in criminality; children with a parent in prison also have higher rates of homelessness and infant mortality; and single parenthood is also associated with worse academic and social outcomes.²³⁶ Incarceration also means that parents are less equipped to provide financial help for their children.

Thus, mass incarceration represents a major impediment to social mobility for people who are already disadvantaged. It confines racial minorities to lower-social classes, making sure they do not get too powerful, while reinforcing inequality between whites and people of color. This is highly contrary to the American Dream which promotes the idea that “every man” should be given “opportunity” to succeed and have a “better, richer, and fuller” life.

B. Is Anti-White Racism the Problem? Denying Anti-Black Racism to Revive White Supremacism

Far from being acknowledged by all, structural racism is denied by some white Americans who think *they* are the real victims of racism. A 2011 national survey showed that 46% of Americans agreed that so-called “reverse discrimination” against whites had become as big a problem as discrimination against blacks and other minorities.²³⁷ What first started as a “white backlash” – a negative response to racial justice progress – has become a genuine belief among many that anti-white racism exists. This belief in anti-white racism is often accompanied by a feeling that white Americans are being dispossessed or “replaced,” by minorities. Some Americans tend to see racism as a “zero-sum game,” a vision that was openly shared by Senator Jeff Sessions during a 2009 Supreme Court hearing: “Empathy for one party is always prejudice for another.”²³⁸

²³⁶ Ibid.

²³⁷ Daniel Cox et al., *What It Means to Be an American: Attitudes in an Increasingly Diverse America Ten Years after 9/11*, (Brookings Institution and Public Religion Research Institute, September 6, 2011), Available: <https://www.pri.org/wp-content/uploads/2011/09/Pluralism-2011-Brookings-Report.pdf>.

²³⁸ Michael I. Norton and Samuel R. Sommers, “Whites See Racism as a Zero-Sum Game That They Are Now Losing” *Perspectives on Psychological Science*. 6.3 (2011): 215–218.

This feeling of dispossession and injustice has been instrumentalized and exacerbated by some politicians. From Richard Nixon to Ronald Reagan and the Tea Party to Donald Trump, portraying white Americans as forgotten heroes and black and Hispanic people as idle “takers” or predatory criminals has been common practice. Richard Nixon may have resigned but he passed on the template of how to picture the “silent majority,”²³⁹ the “forgotten Americans” as “good people. They're decent people; they work, and they save, and they pay their taxes, and they care”²⁴⁰ while waging a “war on drugs” that punished racial minorities more heavily than white people and heavily criticizing the welfare state and affirmative action policies for encouraging idleness and dependance. He also tried to attract white voters through flattery. He pictured them as self-sufficient, hard-working minorities who never complained and protested... unlike “uppity” blacks. People who identified as white and who had voted predominantly for Democrats, now increasingly turned to the Republican Party from 1968 onwards.²⁴¹ Ronald Reagan, an actor used to learning scripts, deployed the same strategy. He praised deserving white Americans who were victims, he claimed, of reverse discrimination²⁴² when white ethnics²⁴³ “unfairly” lost out to people of color “unfairly” benefiting from affirmative action. He states:

The ethnic American has been called “the invisible man” of American society – and with good reason. Too often the government and media treat ethnics as if they did not exist. [...] The ethnic has persevered in spite of government indifference, and even in the face of government-created obstacles. Often ethnic Americans have been displaced by affirmative action quotas.²⁴⁴

²³⁹ Richard Nixon, “Nixon’s Silent Majority Speech,” 3 Nov. 1969, online, Internet, 12 Mar. 2021. Available: <https://watergate.info/1969/11/03/nixons-silent-majority-speech.html>.

²⁴⁰ Richard Nixon, “Acceptance of the Republican Nomination for President Speech,” 8 Aug. 1968, online, Internet, 12 Mar. 2021. Available: <https://usa.usembassy.de/etexts/speeches/rhetoric/rmnaccep.htm>.

²⁴¹ Sylvie Laurent, *Pauvre Petit Blanc : Le Mythe de la Dépossession Raciale*, La collection “Interventions” (Paris : Éditions de la Maison des Sciences de l’Homme, 2020), p.123.

²⁴² Reverse discrimination is discrimination against a dominant group (i.e., whites or men) in favor of a disadvantaged group (i.e., black people or women.)

²⁴³ White ethnics are white Americans who are not White Anglo-Saxon Protestants (WASPs) but immigrated from Europe, for instance.

²⁴⁴ Ronald Reagan, “Ethnic American Speech” (December 15, 1979), quoted in Françoise Coste, “Ronald Reagan’s Northern Strategy and a New American Partisan Identity: The Case of the Reagan Democrats” *Caliban. French Journal of English Studies*. 31 (2012): 221–238.

At the same time, he associated black and Hispanic people with drugs and criminality, implying that these minorities preferred to live on welfare rather than to work and were able to access better positions in society by stealing the place of more deserving people (read: whites) thanks to affirmative action. This discrediting rhetoric created contempt for affirmative action, as well as for any politics of wealth redistribution. This coded dog-whistle politics²⁴⁵ – because it is difficult to say openly one is opposed to equality – allowed the Republican party to normalize the idea that if white Americans suffered from a drop in their status, it was due to the favoritism that was granted to people of color.

This feeling of being dispossessed by minorities was also exacerbated by major media outlets, which gave excessive coverage to black criminality and white innocence.²⁴⁶ The media greatly impacts people's vision, especially before the Internet when there was less choice and segmentation. Even if the audience is aware that the representation of racial minorities is often stereotypical and cliched, by dint of repetition, it impacts their vision. Thus, the media can normalize inequality and transform bias into common sense.²⁴⁷

Today's feeling of dispossession arises from several factors. First, it is a reaction to racial minorities gaining more power. Barack Obama's election gave the impression to some optimistic Americans that racial inequality had been overcome. In 2009, two in three Americans thought that racial equality had been reached.²⁴⁸ For others, it created a feeling of fear and panic at the realization that the positions that were once reserved to whites only could now be held by racial minorities. This realization intensified the feeling that white people were being dispossessed by racial minorities, in a context of economic crisis which made their

²⁴⁵ Dog-whistle politics is the use of a language that appears normal to the majority, but which conveys a message to an intended audience. It is used to gain the support of this intended audience without provoking opposition.

²⁴⁶ Laurent, *Pauvre petit blanc*, p.169.

²⁴⁷ *Ibid*, p.186.

²⁴⁸ *Ibid*, p.181.

prosperity uncertain.²⁴⁹ This fear of white America's decline was one of the reasons for the spike in gun sales and the creation of the belligerent Tea Party, a reactionary movement within the Republican Party which was determined to block President Obama's egalitarian welfare policies. More than 60% of the Tea Party members questioned by *The New York Times* in 2010 thought that Obama was doing too much for the poor – which is a politically correct way of saying doing too much for black and brown people.²⁵⁰ Behind the Tea Party's displays of patriotism and anti-tax libertarianism was virulent racism – a duplicitous strategy embraced later by Trump often without disguising the racism.

Secondly, this feeling of dispossession also comes from a real decline in status for some white Americans. As was discussed earlier, social mobility has been decreasing, wealth inequality rising. Global capitalism hurts uneducated workers more than others, and higher education and healthcare have become too expensive for many. This leads to a lot of suffering. This suffering was investigated by Anne Case and Angus Deaton in their book *Deaths of Despair* (2020). They noticed that three years in a row, from 2014 to 2017, life expectancy had fallen for the US population as a whole. This had not happened since WWI. It was due to what they called “deaths of despair” – people increasingly dying from suicide, alcohol, and drug overdose. They found it concerned mostly middle-aged less educated white men. Since the early 1990s, white people between 45 to 54 with less than a bachelor's degree saw an increase of 25% in their death rate, while those with a bachelor's degree saw their mortality rate decrease by 40%.²⁵¹ Case and Deaton's alarming study depicts real suffering among white middle-aged less educated Americans. They also dedicate a whole chapter to black and white deaths. They underline that even though white death rates are rising when

²⁴⁹ Ibid, p.182.

²⁵⁰ Ibid, p.184.

²⁵¹ Anne Case and Angus Deaton, *Deaths of Despair and the Future of Capitalism*, (United States: Princeton University Press, 2020), online, Internet, 6 Jan. 2021. Available: <http://unr-ra.scholarvox.com.ezscd.univ-lyon3.fr/reader/docid/88904888/page/49>.

death rates of black people are slightly decreasing, black people's life expectancy is still much shorter than white people's. They stress that what matters is levels of mortality, not rates. A white laborer lives on average four years longer than a black worker.²⁵² Covid-19 has illustrated once again the extent to which people of color are much more exposed to serious complications and death than whites. Yet, the Case & Deaton study was oversimplified in the media and by politicians to fit with the narrative of the white American as the "forgotten hero," the victim, whose life has become tragically shorter.

While facts of slower social mobility and rising inequality cannot be denied, their feeling of decline *is* a feeling. It is subjective, triggered by the fear of being overtaken by minorities. This fear can push them to have destructive behaviors such as alcoholism or drug addiction.²⁵³ This is best exemplified by Trump's voters who were said to be the "small people," uneducated white men struggling due to globalization. While a contingent of Trump supporters were less educated white men, their incomes were often above the national average. Only one in six Trump voters were uneducated voters with an income under \$50,000.²⁵⁴ It means that Trump's election was more the result of a cultural anxiety than an economic one. The majority of Trump's voters' status was not declining, but they *felt* it was. This feeling was exacerbated by Trump's rhetoric, just like it was by Nixon's and Reagan's at the time.

Finally, the belief in the existence of anti-white racism also results from a lack of knowledge about the extent of racial inequality and white privilege. People who think that racial inequality is not topical anymore advocate a stance of so-called colorblindness – not taking race into account. Thus, they think that affirmative action is reverse discrimination. This belief often comes from a lack of knowledge of racial inequality. For instance, 40% of

²⁵² Laurent, *Pauvre Petit Blanc*, p.226.

²⁵³ Ibid, p.229.

²⁵⁴ Ibid, p.210.

young white Americans think they were penalized by grant awarding because they were not minorities, when they are actually eligible to 96% of grants and that the likelihood of them receiving one is 40% higher than for minorities.²⁵⁵ One of the most recent examples was the counter-movements “Blue Lives Matter” and “All Lives Matter.” While “Blue Lives Matter” clearly denies police violence, “All Lives Matter” purports to be colorblind. The issue with colorblindness is that by ignoring race, it ignores the reality of racial inequality which is that the likelihood for a black person to be killed by the police is 2.5 times higher than a white person’s.²⁵⁶ Not only do some white people ignore the extent of racial inequality, but they also do not recognize their privilege. White people inherited this privilege without knowingly contributing to it, thus, it is hard for them to acknowledge this advantage that has always given them a greater chance of access to the best jobs and the exclusivity of positions of power: “When you’re used to privilege, equity feels like oppression.”²⁵⁷ Besides, in an era of economic difficulties, slower social mobility, and skyrocketing inequality across all categories, it is hard to acknowledge that one is privileged relative to others.

Structural racism and white privilege need to be acknowledged for, as James Baldwin said, “not everything that is faced can be changed, but nothing can be changed until it is faced.”²⁵⁸ It is up to elected officials, the media, schools, and activists to recognize publicly the *singularity* of the wrongs done to people of color, and the relative privilege white people have been living with. It is a civic duty in the name of justice and equality to live up to the American Dream’s ideals from which nobody should be excluded since they are ideals of inclusivity that date back to the *Declaration of Independence* and beyond.

²⁵⁵ Ibid, p.154.

²⁵⁶ Ibid, p.300.

²⁵⁷ Ibid, p.308.

²⁵⁸ Raoul Peck, *I Am Not Your Negro*, Documentary, (Magnolia Pictures, Amazon Studios, Netflix, 2016).

IV. The Illusion of the “Freedom from Fear”

A. A Violent Society

1. Gun Violence

In the midst of WWII, President Franklin Delano Roosevelt pronounced his famous “Four Freedoms Speech” in which he stated the “four essential human freedoms” that America wished “to make secure”: the freedom of speech, the freedom of worship, the freedom from want, and the freedom from fear.

The fourth is freedom from fear—which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor – anywhere in the world.²⁵⁹

Yet, far from experiencing a “reduction of armaments,” today the US has the highest civilian gun ownership rate among other high-income countries. The US has approximately 120.5 guns per 100 inhabitants. The second highest rate of firearm ownership among high-income countries is Canada with only 34.7 guns per 100 persons.²⁶⁰ Within the US, it is so cheap and easy to buy guns that any American can “commit an act of physical aggression against any neighbor.” The US gun homicide rate is 25 times that of other high-income countries.²⁶¹ From 2000 to 2013, the number of gun deaths in the US exceeded the number of Americans killed by AIDS, drug overdoses, the Iraq and Afghanistan wars, and terrorism combined.²⁶² The American Dream contains a subjective dimension. For some Americans, gun ownership is part of the American Dream as it symbolizes an empowered, self-reliant, free citizen, and even freedom itself. For others, it represents a threat to the “freedom from fear” Roosevelt

²⁵⁹ Franklin Delano Roosevelt, “Four Freedoms Speech,” 1941.

²⁶⁰ Erin Grinshteyn and David Hemenway, “Violent Death Rates in the US Compared to those of the other High-Income Countries, 2015” *Preventive Medicine*. 123 (2019): 20–26.

²⁶¹ *Gun Violence in America*, (Everytown, May 19, 2020), online, Internet, 23 Mar. 2021. Available: <https://everytownresearch.org/report/gun-violence-in-america/>.

²⁶² Joss Fong, *The State of Gun Violence in the US, Explained in 18 Charts*, (Vox, 2016), online, Internet, 23 Mar. 2021. Available: <https://www.youtube.com/watch?v=bX4qUsgHa4Y&t=241s>.

sought to integrate into the American Dream since living in fear of getting shot is far from living a “life that should be better, richer, and fuller.”

The Second Amendment to the US Constitution gives Americans the right to bear arms: 30% own at least one gun and 72% have fired a gun at some point in their lives. For gun owners, the right to bear arms is a passionate topic: 73% of gunowners say they could never see themselves not owning a gun. When asked why they own a gun, 67% of gunowners say protection is a major reason why they own a firearm.²⁶³ Yet, as Firmin DeBrabander argues in his book *Do Guns Make Us Free?* (2015), more than personal protection, the motivation of the pro-gun movement is freedom from government interference.²⁶⁴ Contrary to Europe where guns belong to the state, in the US, guns belong to the people, which makes them self-reliant and, in their view, able to prevent a tyrannical government. Thus, to many, guns are fundamental to American freedom as they are instruments to protect all other freedoms. In that sense, gun control laws are seen as an attack on liberty, on America’s foundational ideals, and make the government the enemy of the people. A gun is not only seen as an essential freedom *from* government overreach but also a freedom *to*: the right to bear arms is an expression of freedom itself.²⁶⁵ About 74% of gunowners say that the right to bear arms is fundamental to their sense of freedom and 35% of non-gunowners view it as essential.²⁶⁶

Yet, for millions of other Americans, gun violence negatively shapes their lives. Every year, an average of 38,826 people die from gun violence, over one hundred per day.²⁶⁷

Shootings have a devastating impact on communities, and this is so even when nobody is

²⁶³ John Gramlich and Katherine Schaeffer, *7 Facts about Guns in the U.S.*, (Pew Research Center, October 22, 2019), online, Internet, 23 Mar. 2021. Available: <https://www.pewresearch.org/fact-tank/2019/10/22/facts-about-guns-in-united-states/>.

²⁶⁴ Gary Gutting, “Guns and Racism” *The New York Times*. 28 Dec. 2015, sec. Opinionator, online, Internet, 23 Mar. 2021. Available: <https://opinionator.blogs.nytimes.com/2015/12/28/guns-and-racism/>.

²⁶⁵ Adam Organi Henschke, “Book Review: Do Guns Make Us Free?” *Journal of Applied Philosophy*. 34.3 (2017): 446–448.

²⁶⁶ Kim Parker et al., *Guns and Daily Life in the U.S.*, (Pew Research Center, June 22, 2017), online, Internet, 23 Mar. 2021. Available: <https://www.pewresearch.org/social-trends/2017/06/22/guns-and-daily-life-identity-experiences-activities-and-involvement/>.

²⁶⁷ “Gun Violence in America.”

killed. It is estimated that two hundred people survive a gunshot wound every day, wounds which can lead to a lifetime of health complications.²⁶⁸ Moreover, guns make crime in the US more lethal. Research shows that offenders are more likely to kill their adversary if they anticipate he is armed.²⁶⁹

Gun violence touches Americans unequally. It is disproportionately directed towards communities of color, religious minorities, and LGBTQ+ people. In 2019, 54% of reported hate crimes were motivated by racism, with nearly half of these crimes directed towards African American people, 21% were motivated by religious bias, most often against Jewish people, and 19% of hate crimes were motivated by anti-LGBTQ+ bias.²⁷⁰ On average, over 10,300 hate crimes per year in the US involve a firearm. This is more than 28 every day.²⁷¹ Guns make hate more deadly. In fact, African Americans are ten times more likely than white Americans to die from gun homicide.²⁷² Since the start of the Covid-19 pandemic, Asian Americans are also increasingly targeted by hate crimes, the latest example being the Atlanta spa shootings on March 16, 2021. LGBTQ+ people are also targeted by hate crimes: one of the most memorable examples was on June 12, 2016 when a man fatally shot 49 people and wounded 58 at an LGBTQ+ nightclub in Orlando. For many, a massive hate crime towards minorities such as this one feels like an attack on the entire community. Research shows that

²⁶⁸ Eugenio Weigend Vargas, “Gun Violence in America: A State-by-State Analysis” *Center for American Progress*. 20 Nov. 2019, online, Internet, 23 Mar. 2021. Available: <https://www.americanprogress.org/issues/guns-crime/news/2019/11/20/477218/gun-violence-america-state-state-analysis/>.

²⁶⁹ Grinshteyn and Hemenway, “Violent Death Rates in the US Compared to those of the other High-Income Countries, 2015.”

²⁷⁰ “Disarm Hate: The Deadly Intersection of Guns and Hate Crimes” *Everytown Research & Policy*. 13 May 2019, online, Internet, 23 Mar. 2021. Available: <https://everytownresearch.org/report/disarm-hate-the-deadly-intersection-of-guns-and-hate-crimes/>.

²⁷¹ “Remembering and Honoring Pulse: Anti-LGBTQ Bias and Guns are Taking Lives of Countless LGBTQ People” *Everytown*. 12 Jun. 2020, online, Internet, 23 Mar. 2021. Available: <https://everytownresearch.org/report/remembering-and-honoring-pulse-anti-lgbtq-bias-and-guns-are-taking-lives-of-countless-lgbtq-people/>.

²⁷² “Gun Violence in America.”

following the Pulse nightclub shooting, LGBTQ+ people experienced emotional distress and were less likely to attend public venues such as LGBTQ+ nightclubs.²⁷³

American adults are not the only ones against whom gun violence is directed. Firearms are the leading cause of death for American children and teens. More than 3,000 children and teens are fatally shot and 15,000 more are shot and injured every year, this is an average of 51 young Americans every day. It is estimated that three million American children witness gun violence every year.²⁷⁴ This has a major impact on young people's well-being. Children exposed to gun violence can suffer from depression, anxiety, and posttraumatic stress disorder. Stress related to gun violence can affect student performance and well-being at school. It also impacts their physical health: the lack of safety in their neighborhood or home can prevent them from being physically active outside.²⁷⁵ A survey of 13 to 24 years old found that 53% of 13 to 18 years old and 32% of 18 to 24 years old cite gun violence as a major worry. For both groups, gun violence outranked every other concern, including terrorism, racism, college affordability, and climate change. About 19% say they do not feel safe at school, 25% say that it is likely that a classmate will bring a gun to school, and 15% say it is likely there will be a shooting in their schools.²⁷⁶ On December 14, 2012, an armed man walked into Sandy Hook Elementary School in Newton, Connecticut and killed 20 children, 6 adults, and himself. Between then and July 2020, there have been 2,654 mass shootings, with at least 2,908 killed and 11,088 wounded.²⁷⁷

²⁷³ "Remembering and Honoring Pulse."

²⁷⁴ "The Long, Shameful List of Gunfire on School Grounds in America" *Everytown Research & Policy*. n.d., online, Internet, 23 Mar. 2021. Available: <https://everytownresearch.org/maps/gunfire-on-school-grounds/>.

²⁷⁵ "The Impact of Gun Violence on Children and Teens" *Everytown Research & Policy*. 29 May 2019, online, Internet, 23 Mar. 2021. Available: <https://everytownresearch.org/report/the-impact-of-gun-violence-on-children-and-teens/>.

²⁷⁶ Susan Page and Marylin Icsman, "Poll: For the Columbine Generation, Gun Violence is a Defining Fear" *USA TODAY*. n.d., online, Internet, 23 Mar. 2021. Available: <https://www.usatoday.com/story/news/2018/03/22/poll-columbine-generation-gun-violence-defining-fear/441446002/>.

²⁷⁷ German Lopez and Kavya Sukumar, "After Sandy Hook, We Said Never Again. And then We Let 2,654 Mass Shootings Happen" *Vox*. 21 Jul. 2020, online, Internet, 23 Mar. 2021. Available: <https://www.vox.com/a/mass-shootings-america-sandy-hook-gun-violence>.

Guns make crimes more deadly, but also suicides. While more than one-third of gun deaths are homicides, nearly two-thirds are suicides.²⁷⁸ Most people who attempt suicide do not die. Yet, having a gun makes death more likely: 90% of suicide attempts with a gun are fatal, while only 4% of attempts not involving a gun are fatal.²⁷⁹ Besides, the majority of people who survive suicide attempts do not die from suicide, only 7% do.²⁸⁰ However, guns make this second chance almost impossible.

Guns also exacerbate domestic violence. In the US, women are 21 times more likely to be killed with a gun than women in other high-income countries. In average, 53 American women are fatally shot by their partner every month.²⁸¹

While for some, owning a gun is essential to their freedom, for many other Americans it is an impediment to their “freedom from fear.” For the latter, it challenges their American Dream of a “life that should be better, richer, and fuller” as gun violence lets fear exaggeratedly shape their lives.

²⁷⁸ “Gun Violence in America.”

²⁷⁹ “Remembering and Honoring Pulse.”

²⁸⁰ German Lopez, “America’s Unique Gun Violence Problem, Explained in 16 Maps and Charts” *Vox*. 2 Oct. 2017, online, Internet, 23 Mar. 2021. Available: <https://www.vox.com/policy-and-politics/2017/10/2/16399418/us-gun-violence-statistics-maps-charts>.

²⁸¹ “Gun Violence in America.”

2. Police Violence

The police trigger fear more than a feeling of safety for some people, due to their sometimes-violent behaviors. In 2020, it was estimated that 1,127 people were killed by the police.²⁸² Contrary to what one might think, there is no systematic causal link between crime rates and police violence. The following chart illustrates this well:

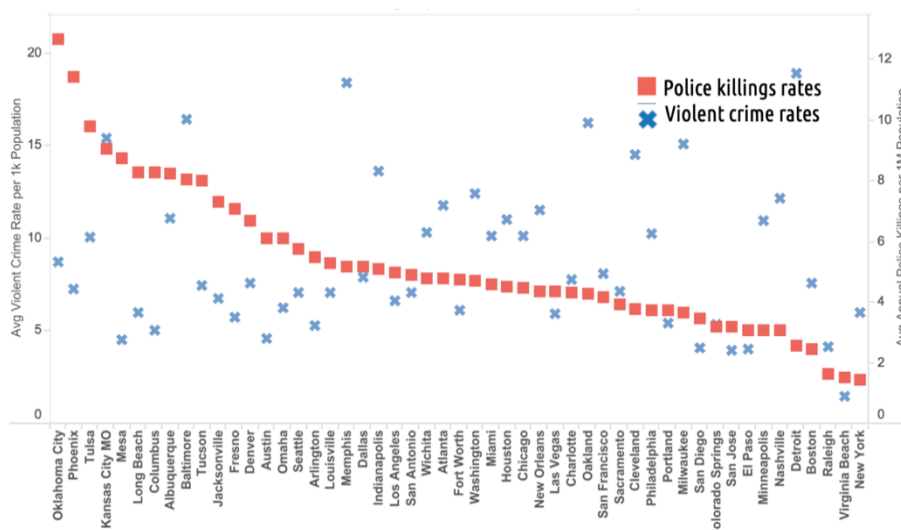


Figure 5: Violent Crime Rates and Rate of Killings by Police in America’s 50 Largest Cities, 2013-2018.

Source: “Mapping Police Violence” *Mapping Police Violence*. 27 Feb. 2021, online, Internet, 19 Mar. 2021. Available: <https://mappingpoliceviolence.org>.

Taking the example of Buffalo (New York State) and Orlando (Florida), Buffalo’s violent crime rate (12 per 1000) is higher than Orlando’s (9 per 1000). Yet, from 2013 to 2016, nobody was killed in Buffalo, whereas 13 people were killed in Orlando.

There is also a significant discrepancy between white and black experience of police violence. In 2020, black people represented 28% of those killed, when they only make up 13% of the US population.²⁸³ These different experiences result in different relationships with the police. When white people think about the police, they tend to think about protection and service, while African Americans often fear the police, due to the disproportionate violence

²⁸² “Mapping Police Violence” *Mapping Police Violence*. 27 Feb. 2021, online, Internet, 19 Mar. 2021. Available: <https://mappingpoliceviolence.org>.

²⁸³ *Ibid.*

used against them and mass incarceration of people who look like them. Black parents teach their children to be extremely careful with the police: put their hands above their head, be respectful, avoid sudden moves, because too many examples have shown that what was interpreted by law enforcement as disrespect, anger, or escape ended in incarceration or death. The police's tendency to injure and kill the most vulnerable people has been brought to light since 2014 by the movement Black Lives Matter after several white-against-black killings triggered outrage: Trayvon Martin, Michael Brown, Eric Garner, Breonna Taylor, George Floyd, and many more. Although it is less covered by the media, other minorities are also victims of police violence: Hispanic and Asian Americans, Native Americans, women, LGBTQ+ people, people suffering from mental illness, as well as people with disabilities. There is an overall lack of data on police killings which makes it hard to identify the extent to which these minorities die from police violence. It has been estimated that Hispanic Americans are 1.7 times more likely to be killed by the police, while Native Americans are 2.9 times more likely to be killed by the police. Yet, an analysis found that major national or regional newspapers rarely cover stories about Native American deaths. Besides, data are incomplete because Native Americans are sometimes not identified as such on death certificates.²⁸⁴ In 2020, 21% of the people killed had mental illness. Due to a declining state of mental health services in the US, the police are increasingly called for help to deal with people during a mental health crisis. Yet, due to a lack of proper training to deal with these difficult situations, it sometimes ends in death.²⁸⁵ Women also suffer from police violence. Although the number of black women killed by the police is lower than that of black men, they experience similar racial disparities. Often, black female victims of police violence were

²⁸⁴ Elise Hansen, "The Forgotten Minority in Police Shootings" *CNN*. 13 Nov. 2017, online, Internet, 19 Mar. 2021. Available: <https://www.cnn.com/2017/11/10/us/native-lives-matter/index.html>.

²⁸⁵ Matthew Epperson, "Where Police Violence Encounters Mental Illness" *The New York Times*. 13 Jan. 2016, sec. Opinion, online, Internet, 19 Mar. 2021. Available: <https://www.nytimes.com/2016/01/13/opinion/where-police-violence-encounters-mental-illness.html>.

perceived to be rude, uncooperative, or disrespectful to officers.²⁸⁶ Challenging a paternalist white society unfairly brought death to some of them. Women are also victims of sexual violence by police officers. Sexual misconduct is the second most frequently reported form of police misconduct.²⁸⁷ Yet, the numbers of sexual assault by officers are incomplete as victims are often reluctant to report the crime. It is estimated that for every sexual assault which makes the news, there are on average five more victims.²⁸⁸ Women can also suffer from psychological violence from the police. A study of Baltimore Police officers found that they often humiliated women and made those who reported sexual assault feel guilty, often failed to gather basic evidence – from 2010 to 2014, rape kits (forensic evidence) were tested in only 15% of Baltimore sexual assault cases – and disregarded some complaints filed by prostitutes.²⁸⁹

Police violence can be attributed to several factors: lack of proper training, lack of accountability and data, and normalized structural racism. Police training is not regulated on a national level and is sometimes short and superficial. There are no federal minimum requirements for the amount of time cadets spend training or for what they need to study. For instance, Rhode Island requires 22 weeks of training, but Georgia requires a minimum of 11 weeks. This is low when put in perspective with other job trainings in Georgia: for instance, barbers need to complete 37 workweeks only to qualify to take the licensing exam.²⁹⁰ In some

²⁸⁶ Eleanor Pratt, Molly Michie, and Sarah Eppler-Epstein, “Saying her Name: Confronting Police Violence against Black Women and Girls” *Urban Institute*. 22 Aug. 2016, online, Internet, 19 Mar. 2021. Available: <https://www.urban.org/urban-wire/saying-her-name-confronting-police-violence-against-Black-women-and-girls>.

²⁸⁷ Mariame Kaba, “Yes, We Mean Literally Abolish the Police” *The New York Times*. 12 Jun. 2020, sec. Opinion, online, Internet, 19 Mar. 2021. Available: <https://www.nytimes.com/2020/06/12/opinion/sunday/floyd-abolish-defund-police.html>.

²⁸⁸ Elliott C. McLaughlin, “Police Officers in the US were Charged with more than 400 Rapes over a 9-year Period” *CNN*. 19 Oct. 2018, online, Internet, 19 Mar. 2021. Available: <https://www.cnn.com/2018/10/19/us/police-sexual-assaults-maryland-scope/index.html>.

²⁸⁹ Sheryl Gay Stolberg and Jess Bidgood, “Some Women Won’t ‘Ever Again’ Report a Rape in Baltimore” *The New York Times*. 12 Aug. 2016, sec. U.S., online, Internet, 19 Mar. 2021. Available: <https://www.nytimes.com/2016/08/12/us/baltimore-police-sexual-assault-gender-bias.html>.

²⁹⁰ Alana Semuels, “Society is Paying the Price for America’s Outdated Police Training” *Time*. 20 Nov. 2020, online, Internet, 19 Mar. 2021. Available: <https://time.com/5901726/police-training-academies/>.

states, it is even possible to join a police department and go out on patrol with a gun before finishing the police academy training or even before enrolling in one. In 2012, Nancy Cummings, who had not yet attended police training, fatally shot Carleton Wallace in the back while trying to handcuff him. Moreover, from 2011 to 2013, more than two-fifths of the 45,000 new local police recruits who received basic law-enforcement training did so at two-year colleges, four-year colleges, or technical schools.²⁹¹ The problem with these schools in comparison with state-run police academies is that they have a financial interest to enroll as many people as possible. Police departments usually conduct background checks and psychological screenings before they hire and train someone, whereas a college's interest is to enroll as many students as possible to maximize their profits, thus, they may not thoroughly vet applicants. Furthermore, many programs at colleges are taught by retired policemen who use old military-style teaching methods and warn students that they will have to choose between killing or being killed.²⁹² It is also hard to hold these colleges accountable. Two community colleges in Wisconsin and Pennsylvania were said to have given students the answers before the test, while another one in North Carolina was reported to have taught their students to pinch the inside of someone's arm when arresting them to make it look like the person was resisting officers.²⁹³ Moreover, these colleges with old-school "warrior" methods tend not to attract women and racial minorities, which perpetuates a police force that is overly aggressive, male, and white; and therefore not representative of the population it serves. Police departments that run their own academies often offer better training because it is in their interest to do so since they train their own future employees. Thus, increasingly, these academies put the emphasis on de-escalating confrontations, working in cooperation with community members, and teaching recruits to recognize signs of mental illness.²⁹⁴ Yet, this

²⁹¹ Ibid.

²⁹² Ibid.

²⁹³ Ibid.

²⁹⁴ Ibid.

type of training is more expensive which makes it hard to persuade states to adopt it, especially at a time when some of the public asks to defund the police when really a better distribution of resources not a reduction is what is needed.

Police violence is also due to the lack of accountability and data. From 2013 to 2020, 98.3% of killings by the police did not result in officers being charged with a crime.²⁹⁵ Officers are not worried about repercussions because very often there are none. This was best illustrated by Daniel Pantaleo, former New York City police officer, whose chokehold killed Eric Garner as the officer waved to a camera filming the incident. He stayed on the job five more years before being fired. Derek Chauvin, who knelt on George Floyd's neck for 8 minutes and 46 seconds, had 17 prior misconduct complaints, but had never before been held accountable.²⁹⁶ These 17 misconducts did not impact his career at all. Not only are policemen often not punished, but they can keep on prosecuting and testifying at trials even if they have shown racial bias, violence, or dishonesty.²⁹⁷ Yet, it would be in prosecutors' interest to decline prosecuting cases that rely on the words of officers who have demonstrated such behaviors since in many cases, especially for low-level offenses, the jury's verdict rests entirely on whether they believe the officer's testimony. The lack of data is also an issue. It is hard to know exactly how many people die in the hands of law enforcement. Data from the Centers for Disease Control and Prevention and the Federal Bureau of Investigation often undercount police killings among all racial and ethnic groups.²⁹⁸ From 2003 to 2009, plus 2011, the FBI counted about 383 "justifiable homicides by law enforcement" each year. Yet,

²⁹⁵ "Mapping Police Violence."

²⁹⁶ Kaba, "Yes, We Mean Literally Abolish the Police."

²⁹⁷ Chiraag Bains and Kyle C. Barry, "Would You Trust the Police Officer Who Writes 'It's a Good Day for a Chokehold'?" *The New York Times*. 15 Jul. 2019, sec. Opinion, online, Internet, 19 Mar. 2021. Available: <https://www.nytimes.com/2019/07/15/opinion/prosecutors-police-misconduct.html>.

²⁹⁸ Olugbenga Ajilore, "Native Americans Deserve more Attention in the Police Violence Conversation" *Urban Institute*. 4 Dec. 2017, online, Internet, 19 Mar. 2021. Available: <https://www.urban.org/urban-wire/native-americans-deserve-more-attention-police-violence-conversation>.

the US Bureau of Justice Statistics estimated that the actual number was closer to 928.²⁹⁹ This discrepancy is partly due to the fact that FBI data only includes self-reported information. Collecting data is challenging: some local police departments are unwilling to file a report when they kill someone, some states decline all participation, others submit numbers for some years and not for others, and some local numbers are reported to state agencies but then not to the federal government.³⁰⁰ In response to the lack of reliable data, newspapers such as the *Washington Post*³⁰¹ and organizations such as Mapping Police Violence³⁰² started collecting their own data. The lack of data on police killings blocks the ability of departments to encourage best practices and analyze the use of gun and physical violence to pass suitable policies that would reduce the number of people killed.

Finally, police violence is part of structural racism. In US history, the police have always been a source of violence against marginalized populations. In the South, policing emerged from the slave patrols in the 18th and 19th century which caught and sent back runaway slaves. In the North, municipal police departments stifled labor strikes and riots against rich people.³⁰³ In the 19th and 20th century, policemen were sometimes directly or indirectly involved in lynchings.³⁰⁴ Just like today's officer-involved shootings, many perpetrators of lynchings were not punished. Researchers at the Economic Policy Institute found a correlation between historical lynchings and officer-involved shootings of African Americans. Counties which experienced a higher rate of historical lynchings have had larger

²⁹⁹ Tom McCarthy, "The Uncounted: Why the US Can't Keep Track of People Killed by Police" *The Guardian*. 18 Mar. 2015, sec. US news, online, Internet, 19 Mar. 2021. Available: <http://www.theguardian.com/us-news/2015/mar/18/police-killings-government-data-count>.

³⁰⁰ Ibid.

³⁰¹ "Fatal Force: Police Shootings Database" *Washington Post*. n.d., online, Internet, 19 Mar. 2021. Available: <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>.

³⁰² "Mapping Police Violence."

³⁰³ Ailsa Chang and Chenjerai Kumanyika, "The History of Police in Creating Social Order in the U.S." *All Things Considered*. (NPR, 5 Jun. 2020), online, Internet, 19 Mar. 2021. Available:

<https://www.npr.org/2020/06/05/871083599/the-history-of-police-in-creating-social-order-in-the-u-s>.

³⁰⁴ Jhacova Williams and Carl Romer, *Black Deaths at the Hands of Law Enforcement are Linked to Historical Lynchings*, (Economic Policy Institute (EPI), June 5, 2020), online, Internet, 19 Mar. 2021. Available: <https://www.epi.org/blog/black-deaths-at-the-hands-of-law-enforcement-are-linked-to-historical-lynchings-u-s-counties-where-lynchings-were-more-prevalent-from-1877-to-1950-have-more-officer-involved-killings/>.

shares of officer-involved shootings of black people in the last five years. Also, as the number of historical lynchings increases, the share of modern officer-involved shootings of whites decreases.³⁰⁵ Lastly, structural racism nourishes stereotypes: while Native Americans are often stereotyped as being violent or addicted to alcohol and other drugs,³⁰⁶ African Americans are often represented in the news and entertainment media as violent criminals. Structural racism also created ghettos of concentrated poverty where opportunity is scarce and criminal behavior high.

Suspicion and fear can be seen on both sides. In a 2017 study, the Urban Institute surveyed three groups: members of criminally active groups, community residents, and police officers. Their study shows that there is a concrete lack of trust between residents and the police. It shows that the legitimacy of the police's actions is called into question: 41% of residents and 72% of group members agreed that police often stop people for no good reason. When asked the degree to which they agreed with each statement on a scale of one (strongly disagree) to five (strongly agree), there was a clear discrepancy between the overall community survey and the black male survey. To the sentence "Most police in my neighborhood treat people fairly," community residents' rating was 3.14 while African American male community residents' rating was 2.20. Officers' rating also shows that they are aware of the lack of trust many residents have towards them: less than 10% agreed that the community they police trusts them and only 11% agreed that the community is welcoming to them, while 23% agreed that police officers have reason to be distrustful of most citizens. It shows that mistrust is mutually reinforcing.³⁰⁷ This lack of sympathy and trust creates a deadlock as it can lead to more suspicion and ultimately violence on both sides. Building

³⁰⁵ Williams and Romer, *Black Deaths at the Hands of Law Enforcement are Linked to Historical Lynchings*.

³⁰⁶ Hansen, "The Forgotten Minority in Police Shootings."

³⁰⁷ Jocelyn Fontaine and Jesse Jannetta, *Mistrust and Ambivalence between Residents and the Police*, (Urban Institute, August 2017), Available: https://www.urban.org/sites/default/files/publication/92316/2017.07.31_legitimacy_brief_finalized_2.pdf.

greater police legitimacy by forcing officers to live up to their motto, “to protect and serve,” would be beneficial to all: higher levels of legitimacy would lead to greater public compliance with the law and cooperation with the police, and thereby make both sides less antagonistic and ultimately safer.³⁰⁸

Due to the violence of badly trained officers, the police can be seen as a threat more than a protection or public servant. Besides, this threat seems unstoppable since there is almost no accountability for police officers who are heavily armed and have the state on their side. The anxiety the police can create for some, especially for minorities, is an impediment to achieving “freedom from fear,” and thus to the American Dream of a life that should be “better, richer, and fuller” “for every man.”

B. Economic Insecurity from the Cradle to the Grave

Although Roosevelt used the expression “freedom from fear” to talk about armaments, taken on a larger sense, fear can take many forms in the lives of American people. One that has grown larger in the last decades is economic insecurity. This daily fear has taken a large part in Americans’ lives because they increasingly have to accept more risks and therefore uncertainty. Many of those risks have been examined in previous sections of this document. First, there is the risk of investing in one’s future: given the generally high price of post-secondary education, many students take out loans that they will have to pay back for a good part of their life (if they can.) Secondly, jobs are increasingly risky with the rise of the “self-employed” gig economy and the decline of the long-term full-time contract and its reliable health benefits and retirement pension. Thirdly, with the high cost of healthcare and the complex and inadequate health insurance system, a disease or an accident can lead many people to bankruptcy with or without insurance. Fourthly, due to an expensive education,

³⁰⁸ Jesse Jannetta, *Policing 2016: To Deliver Safety, Police Need Legitimacy and Accountability*, (Urban Institute, November 2015), Available: <https://www.urban.org/sites/default/files/publication/72951/2000511-Policing-2016-To-Deliver-Safety-Police-Need-Legitimacy-and-Accountability.pdf>.

healthcare system, and lifestyle, Americans save less and take on more debts. As a result, more than 70% of them say they do not have enough saved to go more than six months without hardship in the event their earnings dry up.³⁰⁹ Moreover, upward social mobility has decreased, and downward mobility is increasingly common. Also, downward mobility is more painful than upward mobility is enjoyable due to so-called “loss aversion.” It means that a loss in wealth is psychologically deeply painful, even if it is made up for by equal or larger gains.³¹⁰ Therefore an economic recovery might not feel like an improvement in life security to many. Economic volatility is now frequent and more jarring. Poverty affects many Americans at some point in their lives. When looking at US child poverty rates, one in five children experience poverty. This number is true if one focuses on one particular year. Yet, to know how many children experience poverty at some point in their childhood, the total number of children who spend at least a year in poverty before they turn eighteen needs to be counted. That number is estimated to be four out of ten but may be higher due to the shame associated with poverty that leads to underreporting.³¹¹ We will now examine how this fear of future economic hardships and bankruptcy never ends because retirement (i.e., no longer working for money after a certain age) has become as risky as everything else, and those risks increasingly fall on workers and their families *alone*.

According to a 2018 Gallup Polls, 46% of adults fear that they are not prepared for retirement.³¹² Although the US has a social security system, according to the social security administration website, “Social security should be just one part of [one’s] retirement plan.” The website explains that social security should represent about 40% of one’s retirement

³⁰⁹ Ibid, p.3.

³¹⁰ Ibid, p.13.

³¹¹ Ibid, p.20.

³¹² Frank Newport, “Update: Americans’ Concerns About Retirement Persist” *Gallup.com*. 9 May 2018, online, Internet, 25 Mar. 2021. Available: <https://news.gallup.com/poll/233861/update-americans-concerns-retirement-persist.aspx>.

income.³¹³ Thus, if one wants to maintain the standard of living one had before retiring, social security is not enough, employer-sponsored retirement plans are needed. There are two types of employer-sponsored retirement plans: defined-benefit plans and defined-contribution plans. In defined-benefit plans, employers guarantee a specific retirement benefit amount for each worker depending on their salary and years of service. Employees have no control over the funds until they are given to them when they retire. This means that the *employer* bears the risks that the return on investment will not be sufficient to cover the defined-benefit amount due to the employee. In a defined-contribution plan, the *employee* bears the risk. The most common type of defined-contribution plan is a 401(k). Employees, not employers, decide how much they want to contribute to their tax-free 401(k), the company can match the contribution if it wants, up to a limit it decides. Contributions are usually invested in mutual funds.³¹⁴ 401(k)s are low risk for employers, require little work, and cost less to administer than defined-benefit plans which require finance professionals to decide where to invest and estimate how much an employee should get. It also means that all the risk falls onto the employees who have to assume the risk of both not investing well and outliving their savings. Contrary to defined-benefit plans which have an agency looking out for workers (the Pension Benefit Guaranty Corporation (PBGC)), with defined-contribution plans, there is no guarantee that workers will get adequate benefit for their entire retired life. Yet, defined-contribution plans have become increasingly common, and defined-benefit plans rarer: in 1984, more than 80% of large and medium-size firms offered a defined-benefit plan; today only 25% do, and

³¹³ “Learn About Retirement Benefits” *Social Security Administration*. n.d., online, Internet, 25 Mar. 2021. Available: <https://www.ssa.gov/benefits/retirement/learn.html#h1>.

³¹⁴ A mutual fund is essentially a pool of money collected from several investors to invest in securities like stocks, bonds, money market instruments, and other assets. It is operated by professional money managers whose goal is to produce gains for the fund’s investors. Mutual funds give small investors access to professionally managed portfolios.

this share keeps on falling. Meanwhile, 401(k) plans have seen their total assets rising from zero to roughly a quarter of the nation's economy.³¹⁵

This shift to defined-contribution plans can be explained by several factors. First, offering defined-benefit plans was a way for employers to retain reliable skilled employees. However, now that long-term contracts are rarer, this argument no longer carries the weight it used to have.³¹⁶ Secondly, labor unions pushed for defined-benefit plans. Now that there are fewer unions, employers are less likely to yield to their demands. Thirdly, defined-contribution plans are cheap for employers. In the late 1970s, private employers gave more than 4% of workers' compensation to pensions. By the late 1980s, they devoted around 2.5%. This is without taking into account the fact that about a third of workers who are offered a 401(k) plan contribute nothing to them, which means that even employers who want to match their employees' contributions, sometimes have nothing to hand over.³¹⁷ Finally, the rise of the defined-contribution plans are linked to the personal responsibility rhetoric that has dominated American discourse since the 1980s: people should succeed *and fail* on their own. With a 401(k), people who know little or nothing about investing must choose on their own how much they should invest and where. If it grows, all the money is theirs; if it drops, all the losses are theirs too.

In his book *The Great Risk Shift* (2019), Jacob S. Hacker notes three reasons why defined-benefits plans are less risky than defined-contribution plans. First, while for defined-benefits plans savings are forced upon the employee: the employer pays workers in future income rather than current; for defined-contribution plans, the employee has to decide how much to save. This is an issue for two reasons. Knowing how much to save is complex, a

³¹⁵ Hacker, *The Great Risk Shift*, p.102.

³¹⁶ Ibid, p.109.

³¹⁷ Ibid.

worker has to consider many variables that are hard to evaluate. Hacker sums up all the questions a worker has to answer to know how much he should save to retire:

How much will I make in the coming years? How much of my pre-retirement income do I need to live in retirement? When will I retire, and how long will that affect my savings? What are the likely long-term trajectories of the stock and bond markets and the cost of living? Will I change or lose jobs? Will my health remain good? Will my employers offer me a pension, and of what sort? And what's going to happen to Social Security?³¹⁸

These considerations are hard to calculate, especially as many factors are out of one's control. For instance, four in ten retired workers had to leave their jobs earlier than planned because of layoffs, health problems, or sick relatives. As behavioral economists have found, people systematically fail to take these considerations into account in their planning. Defined-benefit plans have the advantage of "pooling many of these uncertain risks under the auspices of employers, who promise a guaranteed pension in retirement based on years of work, pay, family size, and the like."³¹⁹ Moreover, people tend to "procrastinate." Many people find it difficult to make sacrifices in the present to ensure their future, especially when current resources are scarce. The system of "forced savings" of the defined-benefit plan thus overcomes this issue. Secondly, defined-benefit plans are professionally managed and avoid common errors such as overinvesting in company stock (which can result in total loss of pension if the company becomes bankrupt). This is what happened in 2005 with Enron, an American energy company. More than 60% of Enron's pension assets were in the company's stock. Thus, when Enron's share price fell overnight from \$90 to 26 cents, thousands of workers lost their jobs and most of their retirement savings as well.³²⁰ Many workers had essentially invested too much in company stock and were left with nothing. According to the personal responsibility ideology, *workers* are to blame, because *they* failed to properly invest. In defined-contribution plans, workers are expected to have the same results as money

³¹⁸ Ibid, p.104.

³¹⁹ Ibid, p.105.

³²⁰ Ibid, p.101.

managers. Yet, most workers do not have any investment expertise. Finally, as mentioned earlier, defined-benefit plans have the advantage of pooling the main risks to retirement income. In defined-contribution plans, all the risks: market risks, outliving one's savings, deciding how much to save, and how to invest those contributions, fall onto workers themselves.³²¹

Furthermore, as Hacker explains "401(k)s are almost tailor-made to produce insufficient retirement savings for ordinary workers – and indeed, this is one reason they're so cheap for employers to run."³²² In the 1990s, the stock market went up, 401(k)s grew fast, yet retirement wealth of most Americans dropped. The median family approaching retirement ended the 1990s with 11% less in retirement wealth than the median family had in 1983. The proportion of near-retirement families that were likely to live on less than half their prior income in retirement also increased from less than 30% to more than 40% between 1989 and 1998.³²³ Hacker recounts a conversation between a human resources manager and a speaker at a conference about strategies to motivate workers to participate in their 401(k):

Am I missing something? How am I supposed to get my workers to contribute more? A typical participant at my company is forty-five, has two kids, makes \$60,000, has no defined-benefit pension, and has maybe \$50,000 in his 401(k) tops. When I show him the fancy projections, you're telling me about, suggesting he needs a million dollars to have anything like the life he's living now, he just says, "forget it. What's the point?" So how am I supposed to get him to contribute more?

There was a long silence. Then, one panelist was brave enough to jump in. If the typical worker only had \$50,000 at age forty-five, the panelist responded that's his own fault – he can't retire.³²⁴

This conversation underlines well the problem that average Americans face upon retiring, and the answer they get: personal responsibility. It is *their* fault if they did not manage to save *one million dollars*. This conversation illustrates well the problem because \$50,000 is more than

³²¹ Ibid, p.115.

³²² Ibid, p.113.

³²³ Ibid, p.111.

³²⁴ Ibid, p.114.

most workers have on their 401(k)s, so if this man who had saved a substantial sum cannot retire, then few workers can.³²⁵

Due to this inefficient system and its spread, more workers have to work longer, simply because they do not have enough money to retire. In 2016, almost 19% of Americans aged 65 and older worked, up from 12% in the early 1990s, which makes the elderly the fastest growing age group in the labor force.³²⁶ Many people with modest 401(k)s do so to delay claiming social security. Monthly social security benefits are higher if they are claimed later. If one retires at their full retirement age (66 for people born from 1943 to 1954 and 67 for people born in 1960 and later) they will get bigger benefits. Besides, for each year they delay taking benefits beyond their retirement age (up to age 70), they earn a bonus.³²⁷ However, not everybody can do that. Unemployment rates for people over 50 are increasing faster than for any other group and older workers tend to experience more often long-term unemployment. *If* they ever get re-hired, they usually take at least a 25% wage-cut.³²⁸ Moreover, some people physically cannot keep on working, or have other obligations such as a sick relative to take care of. Another consequence of this retirement system is the increasing number of elderly people who experience downward mobility and poverty. In order to maintain their living standards during retirement, people need roughly 20 times their annual income in financial wealth, a person earning \$50,000 annually would need \$1 million beyond what they will receive from social security. Yet, in 2010, 75% of soon-to-be retired Americans had less than \$30,000 in their retirement accounts. This means that for many retirees, downward mobility and even poverty becomes their reality. It is estimated that

³²⁵ Ibid.

³²⁶ Ibid, p.118.

³²⁷ Teresa Tritch, "But for the Grace of Social Security" *The New York Times*. 11 Jun. 2013, sec. Taking Note, online, Internet, 25 Mar. 2021. Available: <https://takingnote.blogs.nytimes.com/2013/06/11/but-for-the-grace-of-social-security/>.

³²⁸ Teresa Ghilarducci, "Our Ridiculous Approach to Retirement" *The New York Times*. 21 Jul. 2012, sec. Opinion, online, Internet, 25 Mar. 2021. Available: <https://www.nytimes.com/2012/07/22/opinion/sunday/our-ridiculous-approach-to-retirement.html>.

almost half of middle-class workers will be poor or near poor in retirement.³²⁹ Finally, the rise of defined-contribution plans widens inequality. 401(k)s are advantageous for affluent people when they are disadvantageous for low-income people and the middle-class. The tax breaks that enable 401(k)s are worth the most to high-income people. Besides, affluent people are more likely to know where to invest, or to pay someone to advise them.

This situation is likely to get worse. In 1983, only 6.6% of households' private pension wealth was in defined-contribution plans; in 2007, more than half was. This increase is even stronger for households headed by workers under 47, from around 10% to more than 73%.³³⁰ It means that almost all the private retirement wealth, except today's oldest workers, are dependent on 401(k)s – and financial markets. It also means that economic insecurity, driven by risky education costs, risky jobs, risky debts, risky healthcare, and risky retirement, will haunt people all their lives – lives that are far from a life with “freedom from fear,” and thus of the American Dream's “better, richer, and fuller” life.

C. The Impact of Trump's Immigration Policy: Does Immigrating to the US Today Mean Living in Fear of Humiliation, Deportation, and Death?

The American Dream has been a driving force of immigration to the United States, a country largely built by immigrant labor. In 2019, there were more than 44.9 million immigrants³³¹ in the US.³³² The success stories of other immigrants, along with the lack of opportunities in their home countries push immigrants to make their way to America. They are often searching to fulfil their American Dream – defined broadly as their plan of self-fulfillment in a favorable environment. Some look for “freedom from fear” – freedom from religious or political persecution – embodied in the first amendment of the Bill of Rights,

³²⁹ Ibid.

³³⁰ Hacker, *The Great Risk Shift*, p.115.

³³¹ Foreign-born persons living in the United States (non-citizens and citizens).

³³² Jeanne Batalova, Mary Hanna, and Christopher Levesque, “Frequently Requested Statistics on Immigrants and Immigration in the United States” *migrationpolicy.org*. 9 Feb. 2021, online, Internet, 29 Mar. 2021. Available: <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states-2020>.

while others focus on the American Dream's promise of providing "opportunity for each." They dream of joining the American middle class at a minimum. Some were highly successful. In 2016, the National Foundation for American Policy published a report stating that 44 out of 87 American start-up companies worth \$1 billion were started by immigrants.³³³ Immigration brought a lot to the US too. Throughout US History, immigration has helped the country adapt to new economic realities. Today, those 44 start-up companies have created an average of 760 jobs per company in the US in 2017. Immigration has also shaped America's reputation as a global leader in technology innovation, with companies such as Google, Yahoo, eBay, or Facebook which were all cofounded by immigrants. As noted by Suketa Mehta, the author of *This Land is Our Land: An Immigrant's Manifesto*: "America has succeeded, and achieved its present position of global dominance, because it has always been good at importing the talent it needs."³³⁴

Success stories of immigrants "living the American Dream" are popular in America and around the world. Yet, there is relative silence on many stories of immigrants living in fear. Being an immigrant in the US or wishing to immigrate to the US, especially under President Trump, has been scary as an immigrant's legal status is directly or indirectly in question nearly every day. Even though President Joe Biden has already put an end to some of Trump's worst immigration policies, they caused a lot of suffering and fear among immigrants. This life of fear is far from the American Dream immigrants dreamed of.

Trump called into question the status of current immigrants living in the US, making their future uncertain. First, due to thorough and cumbersome vetting to root out fraud, the naturalization process dramatically slowed down during Trump's presidency. In 2019, the average processing time for naturalization was roughly ten months, an increase of almost 50%

³³³ "How Does the American Dream Influence the US Economy?" *Investopedia*. n.d., online, Internet, 24 Mar. 2020. Available: <https://www.investopedia.com/ask/answers/061815/how-does-notion-american-dream-influence-us-economy.asp>.

³³⁴ *Ibid*.

since 2016 when the average was less than six months.³³⁵ In some places, such as Seattle and New York, it could exceed eighteen months, and even two years.³³⁶ These slowdowns left thousands of people seeking citizenship or permanent residency in fear about their uncertain future. Secondly, in January 2020, the Supreme court accepted Trump’s “Public Charge Rule.” It allowed the denial of a green card to immigrants who were likely to make even occasional or low use of public aid programs such as Medicaid, food stamps, or housing vouchers. This included people working and receiving very few and temporary government benefits. Lawyers relying on estimates published by the Department of Homeland Security commented on the fear and its consequences:

The rule will cause hundreds of thousands of individuals and households, in many cases noncitizens not even subject to public charge scrutiny, to forego public benefits for which they are eligible, out of fear and confusion about the consequences for their immigration status of accepting such benefits. [...] [That could lead to] increased malnutrition (especially for pregnant or breastfeeding women, infants, or children) and increased prevalence of communicable diseases, increased poverty and housing instability.³³⁷

This rule had an effect on Medicaid enrolment: “we have documented evidence of people just disappearing off the rolls.”³³⁸ Having a safety net helps immigrants to move up the social ladder. “Instead, our government forces immigrants to choose between a green card and feeding their children,” creating stress about what decision they should make. Thirdly, Trump wanted to put an end to DACA, a program introduced in 2012 by Barack Obama to protect from deportation people who were brought into the US as under-age children. This represented a threat to these people nicknamed “Dreamers.” DACA is a status renewable every two years, which does not provide a pathway to citizenship but comes with several

³³⁵ “National Average Processing Time (in Months) for All USCIS Offices for Select Forms By Fiscal Year (2016-2020)” *USCIS Case Processing Times*. n.d., online, Internet, 21 Nov. 2020. Available: <https://egov.uscis.gov/processing-times/>.

³³⁶ “Processing Times per Service Center” *USCIS Case Processing Times*. n.d., online, Internet, 21 Nov. 2020. , Available: <https://egov.uscis.gov/processing-times/>.

³³⁷ Adam Liptak, “Supreme Court Allows Trump’s Wealth Test for Green Cards” *The New York Times*. 27 Jan. 2020, online, Internet, 26 Mar. 2020. Available: <https://www.nytimes.com/2020/01/27/us/supreme-court-trump-green-cards.html>.

³³⁸ *Ibid.*

benefits such as the ability to get work permits, be enrolled in school, and to obtain health insurance from employers. Putting an end to DACA is particularly unfair as most of the Dreamers have lived in the US most of their lives. Indeed, the median age of entry into the US for a DACA recipient is six years old, and the most common age is three. Trump fought to end DACA all four years. Waiting for the courts' decision, some Dreamers could no longer bear the anxiety this uncertain future triggered and decided to leave. This was the case of a 29-year-old woman born in Toronto, who has been waiting 24 years for a solution:

I no longer wish to be a bargaining chip for a border wall. I am no longer willing to be another sob story to win votes. I can no longer go to bed every night with the anxiety of such an unsecure future. But I am privileged that by chance I was born in a high-income country to which I can easily return. I am privileged to have the agency to leave.

Isn't that the great irony? To live the American Dream of opportunity and autonomy, I must leave.³³⁹

Fourthly, Trump created a Denaturalization Section to underscore "the department's commitment to bring justice to terrorists, war criminals, sex offenders, and other fraudsters who illegally obtained naturalization."³⁴⁰ This could concern any naturalized immigrant, even if they had spent most of their life in the US and did not have any ties with the country they were born in. It "put a question mark next to every naturalized citizen's name."³⁴¹ Prior to Trump's election, denaturalization was considered a last resort, most often used against Nazis and war criminals who had concealed their identity to avoid prosecution. The Trump administration filed roughly three times as many denaturalization cases than the last eight administrations.³⁴² Even when finally naturalized, immigrants still lived in fear during

³³⁹ Tawheeda Wahabzada, "No Need to Deport Me. This Dreamer's Dream Is Dead." *The New York Times*. 13 Aug. 2019, sec. Opinion, online, Internet, 25 Mar. 2020. Available: <https://www.nytimes.com/2019/08/13/opinion/daca-immigration.html>.

³⁴⁰ Katie Benner, "Justice Dept. Establishes Office to Denaturalize Immigrants" *The New York Times*. 26 Feb. 2020, online, Internet, 26 Mar. 2020. Available: <https://www.nytimes.com/2020/02/26/us/politics/denaturalization-immigrants-justice-department.html>.

³⁴¹ Patricia Mazzei, "Congratulations, You Are Now a U.S. Citizen. Unless Someone Decides Later You're Not." *The New York Times*. 23 Jul. 2018, sec. U.S., online, Internet, 26 Mar. 2020. Available: <https://www.nytimes.com/2018/07/23/us/denaturalize-citizen-immigration.html>.

³⁴² "Justice Initiative Joins Call for Biden Administration to Halt Citizenship Stripping" *Open Society Justice Initiative*. 19 Jan. 2021, online, Internet, 29 Mar. 2021. Available:

Trump's presidency. Finally, Trump created an overall atmosphere of fear that was unwelcoming to immigrants by calling them "animals," "rapists," "drug dealers," and denigrating their childhood homes as "shithole countries."

Trump also put in place restrictions on people who wished to immigrate to the US. First, the Trump administration took steps to restrain asylum³⁴³ cases. Even though the courts stepped in to stop several of their policies (at least temporarily), the Trump administration managed to create barriers for asylum seekers. For instance, they banned people from seeking asylum if they crossed any other country and did not apply there before applying in the US. They also implemented the Migrant Protection Protocols (MPP), also known as "Remain in Mexico" which forces Central Americans seeking asylum in the US to return to Mexico while their claims are processed. It forced thousands of asylum seekers to return to Mexico where they feared for their safety as many faced violence, and amid pandemic, unsanitary conditions. It also made it more difficult for them to have a fair review of their claims: only 0.1% of asylum seekers affected by MPP were granted asylum.³⁴⁴ Secondly, the Trump administration also restricted refugee³⁴⁵ admissions. During Trump's presidency, the number of refugees that could be admitted into the US was historically low. From 2017 to 2019, 76,000 refugees were admitted. In comparison, in fiscal 2016 *alone*, 85,000 refugees were admitted.³⁴⁶ Restricting asylum and refugee admissions is unAmerican as it betrays America's origins. The Puritans were persecuted and sought refuge in America. Thus, leaving other

<https://www.justiceinitiative.org/newsroom/justice-initiative-joins-call-for-biden-administration-to-halt-citizenship-stripping>.

³⁴³ An asylum seeker is a person arriving in the country or already in the country who seeks humanitarian protection after suffering from persecution or having well-founded fear of persecution at home on the ground of race, religion, nationality, membership in a social group, or political opinion.

³⁴⁴ "How the Trump Administration is Eliminating Asylum in the U.S." *International Rescue Committee (IRC)*. 4 Feb. 2020, online, Internet, 29 Mar. 2021. Available: <https://www.rescue.org/article/how-trump-administration-eliminating-asylum-us>.

³⁴⁵ The difference between refugees and asylum seekers is that refugees apply for status outside the US whereas asylum seekers apply from within the US or at the border.

³⁴⁶ Jens Manuel Krogstad, *Key Facts about Refugees to the U.S.*, (Pew Research Center, October 7, 2019), online, Internet, 29 Mar. 2021. Available: <https://www.pewresearch.org/fact-tank/2019/10/07/key-facts-about-refugees-to-the-u-s/>.

persecuted individuals live in fear in their country 400 years later is contrary to America's core values. Finally, Trump implemented a "zero-tolerance policy." Under this policy, each migrant who crossed the border illegally was to be prosecuted, even those seeking asylum. Since children are not allowed to be held in federal jail, they were separated from their parents and placed in the care of the Office of Refugee Resettlement (ORR). These children were treated as "unaccompanied alien children," a category which usually serves children who voluntarily arrive at the border alone. Children then waited in government-run facilities until they were found relatives or sponsors to care for them while their immigration case was pending. It is hard to know exactly how many children were separated from their parents nor where their parents currently are since written evidence is not always available. Both parents and children were left to live with the fear that they will never see each other again.

President Biden put an end to some of these cruel fear-triggering policies. Among those were: ending the Public Charge Rule, preserving DACA, ending "Remain in Mexico," revitalizing the refugee program to about 125,000 in 2022, and reuniting families separated at the border by establishing a "Task Force on the Reunification of Families."³⁴⁷ The Biden Administration also announced the US Citizenship Act of 2021 which would create an eight-year path to citizenship for most of the eleven million undocumented immigrants living in the US as of January 1. This would put an end to the fear many people are living in due to their uncertain future. Among other things, the bill also tries to make family reunification easier. Symbolically, there is a clear change in the vocabulary used. To introduce the bill on the website of the White House, the following words were chosen:

The bill creates an earned path to citizenship for our immigrant neighbors, colleagues, parishioners, community leaders, friends, and loved ones—including

³⁴⁷ Tori Bateman, "Biden's Changes to the Immigration System Explained" *American Friends Service Committee*. 22 Jan. 2021, online, Internet, 29 Mar. 2021. Available: <https://www.afsc.org/blogs/news-and-commentary/biden%E2%80%99s-changes-to-immigration-system-explained>.

Dreamers and the essential workers who have risked their lives to serve and protect American communities.³⁴⁸

In addition, the bill changes the word “alien” to “noncitizen” in US immigration laws. This symbolic change of terms set the tone of Biden’s presidency. It stresses his will to change the anxious atmosphere created by Trump into a more fraternal one by emphasizing the positive side of the immigrant presence in the US. Yet, this bill still has to win a majority.

Furthermore, many challenges concerning immigration remain. One is the surge of people crossing the southern border since Biden’s election. The increased number of children being accepted to the US is leading to overcrowded facilities. Too many asylum seekers still live in fear as they found themselves in detention or stuck in years-long court proceedings. Thus, executive orders will not be enough to fix the American immigration system which needs deep changes in Congress agreed to by both major parties so that reforms are sustained from one election cycle to the next one. These changes are essential for immigrants to fulfill their American Dream.

³⁴⁸ “Fact Sheet: President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System” *The White House*. 20 Jan. 2021, online, Internet, 29 Mar. 2021. Available: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>.

V. America's Broken Democracy

A. The Electoral College: An Undemocratic and Unequal Institution

The American Dream is a dream of empowerment and agency. Thus, voting is at the center of the American Dream because it is a primary tool to be an active agent in the destiny of one's country. It can be argued that the Electoral College is an impediment to the American Dream as it prevents American citizens from shaping the destiny of their country in an equal, fair, and democratic way.

The Electoral College was instituted as part of the United States Constitution in 1787. It stated that electors would be appointed by states and would elect the US president for the people. Each state regardless of its population receives two electors corresponding to the number of senators. Additional electors are appointed according to the number of representatives in the state (this number is itself based on the size of the population and is determined every ten years by census.) Today, there are 538 electors which correspond to the 435 representatives, 100 senators, and the 3 electors from Washington D.C. 270 electors are necessary to obtain a majority and be elected president. There were several reasons for the adoption of such a system. It was said to be a way to prevent a demagogue from becoming president, as the electors would, as Hamilton writes: "be most likely to possess the information and discernment requisite to such complicated investigations."³⁴⁹ It also gives more power to low-population states as they receive two electors regardless of their population size. It was a way to give more power to slaveholding states too, as it came with the Three-Fifth Compromise which states that each slave is worth three-fifths of a person, thus increasing the population count in slave states so that they would gain more seats in the House of Representatives. A direct vote without the Three-Fifth Compromise would have highly penalized slave-states as slaves would have gone uncounted as persons and be

³⁴⁹ Alexander Hamilton, "The Avalon Project: Federalist No 68," n.d., online, Internet, 27 Feb. 2020. Available: https://avalon.law.yale.edu/18th_century/fed68.asp.

considered merely as private property like a mule or ox. In Virginia for example, which was the most populous state at the time, the slave population was as high as 40%. The Three-Fifths clause allowed Southern white supremacists to have it both ways: more House seats for slave states, but no blacks voting.

Not only is the Electoral College a questionable vestige of the slavery period but it raises other pressing issues. In the 2016 election, for example, it allowed Donald Trump to become president without the majority of the popular vote, with Trump winning 306 electoral votes against 232 for Hillary Clinton but totaling 62,985,106 popular votes against 65,853,625 for Clinton.³⁵⁰ This was the second time in 16 years that a president won without a majority of the popular vote because George W. Bush lost the popular vote to Al Gore in 2000 by roughly 500,000 votes. It has happened five times since 1787. The Electoral College permits the violation of the basic democratic principle of majority rule. The Electoral College is also a threat to equality as citizens' votes are not worth the same. Low population states are arguably over-represented and high-population states do not have their numbers proportionately represented in the Electoral College.³⁵¹ Taking the most extreme example, each Wyoming vote weighs 3.6 times more than one Californian vote.³⁵² This is highly contrary to the ideal of equality of opportunity to shape the future of one's country and also discouraging for voters whose votes are not as important as others'. Even more so since this gap is growing as Americans are increasingly moving into big cities – with the urban population increasing by 12% between 2000 and 2010 – they are moving into high population states where individual

³⁵⁰ “2016 Presidential Election Results” *The New York Times*. 9 Aug. 2017, sec. U.S., online, Internet, 26 May 2021. Available: <https://www.nytimes.com/elections/2016/results/president>.

³⁵¹ Alex Kuzoian, “Turns out a Presidential Candidate Could Win the Election with just 22% of the Popular Vote” *Business Insider*. 18 May 2016, online, Internet, 13 Apr. 2021. Available: <https://www.businessinsider.com/unequal-distribution-electoral-college-votes-presidential-election-popular-vote-2016-5>.

³⁵² Katy Collin, “The Electoral College Badly Distorts the Vote. And it’s Going to Get Worse.” *Washington Post*. 17 Nov. 2016, online, Internet, 13 Apr. 2021. Available: <https://www.washingtonpost.com/news/monkey-cage/wp/2016/11/17/the-electoral-college-badly-distorts-the-vote-and-its-going-to-get-worse/>.

votes are worth the least, such as California, New York, or North Carolina.³⁵³ This is without mentioning the four million Americans living in the US's five overseas territories such as Puerto Rico or Guam who are deprived of votes, as well as the citizens who are disfranchised by the states' restrictions against voting by felons, for example. Disfranchising US citizens living in US territories is both a threat to equality and democracy, but it is also highly paradoxical as other US citizens living in areas outside the US are allowed to vote. In a democracy each citizen's voice should count equally, however, the Electoral College fails to provide this basic democratic principle for all American citizens.

Secondly, the winner-takes-all principle can be seen as undemocratic as it allows candidates to win without the popular vote. A candidate will get all the electoral votes in one state whether he wins it by one or a million votes. This principle is not in the constitution, and while most of the states adopted it, two, Nebraska and Maine, changed to a proportional allocation system. The problem with this principle is that it turns politics into a mere strategic game. Since you only need a single popular vote lead to win all the electoral votes in most states, "gaming the system" becomes more important than persuading voters with the best proposals. Swing states are targeted by the candidates and safe states are forgotten during the campaign. This is contrary to the idea of the Electoral College itself which was supposed to force candidates to pay attention to all states. In practice, candidates focus their attention on swing states, be they small or big. For example, during the 2016 presidential campaign, two-thirds of the campaign events were in just six states: Florida (29 electors), North Carolina (15), Pennsylvania (20), Ohio (18), Virginia (13), and Michigan (16) and 94% of the 2016 events were in twelve states.³⁵⁴ The same pattern was also true for the 2020 presidential

³⁵³ Ibid.

³⁵⁴ "'Campaign events' are defined here as *public* events in which a candidate is soliciting the *state's* voters (e.g., rallies, speeches, fairs, town hall meetings). This count of 'campaign events' does not include visits to a state for the *sole* purpose of conducting a private fund-raising event, participating in a presidential debate or media interview in a studio, giving a speech to an organization's national convention, attending a non-campaign

election: 96% of the 2020 events were in twelve states.³⁵⁵ Moreover, this strategic game can be dangerous when exterior forces get involved as seen during the 2016 election with foreign countries such as Russia or companies such as Cambridge Analytica “meddling” in the elections. It also stresses how unequal the value of votes is. In 2016, almost 138 million Americans went to the polls. However, Trump won thanks to 77,744 votes across just three states: Michigan, Pennsylvania, and Wisconsin. All three were part of the twelve most visited states during the campaign by the presidential candidates themselves or by their running mates. Because of the winner-takes-all principle, Trump won *all* the electors of Pennsylvania by 0.7 percentage points, Wisconsin by 0.7, and Michigan by 0.2.³⁵⁶ The system allows a candidate to be elected without the majority. It has been calculated that you can have the 270 electors necessary to win with only 22.16% of the popular vote.³⁵⁷ This is the worst-case scenario, but the fact that you can become president when 78% of voters did not vote for you makes it impossible to consider the Electoral College as a fair democratic way of electing a president. Moreover, in some Southern states, black suffrage is insufficient to change policy directions because white citizens are enough of a majority to always win.³⁵⁸ The Electoral College undermines the American Dream because it denies citizens the “opportunity” to *equally* shape the future of their country.

event (e.g., the Al Smith Dinner in New York City), visiting the campaign's own offices in a state, or attending a private meeting.”

“94% of 2016 Presidential Campaign Was in Just 12 Closely Divided States” *National Popular Vote*. 16 Aug. 2016, online, Internet, 13 Apr. 2021. Available: <https://www.nationalpopularvote.com/campaign-events-2016>.

³⁵⁵ “Map of General-Election Campaign Events and TV Ad Spending by 2020 Presidential Candidates” *National Popular Vote*. 7 Sep. 2020, online, Internet, 1 Apr. 2021. Available: <https://www.nationalpopularvote.com/map-general-election-campaign-events-and-tv-ad-spending-2020-presidential-candidates>.

³⁵⁶ John McCormack, “The Election Came Down to 77,744 Votes in Pennsylvania, Wisconsin, and Michigan” *Washington Examiner*. 10 Nov. 2016, online, Internet, 13 Apr. 2021. Available: <https://www.washingtonexaminer.com/tag/donald-trump>.

³⁵⁷ Kuzoian, “Turns out a Presidential Candidate Could Win the Election with just 22% of the Popular Vote”

³⁵⁸ Terry Gross, “Electoral College ‘Not Carved in Stone.’ Author Advocates Rethinking How We Vote” *Fresh Air*. (NPR, 18 Mar. 2020), online, Internet, 13 Apr. 2021. Available: <https://www.npr.org/2020/03/18/817506054/electoral-college-not-carved-in-stone-author-advocates-rethinking-how-we-vote>.

Finally, the Electoral College invites countering extremism (that its distorting effects open the door to) with more extremism. During the 2016 election, a group of people called the Hamilton Electors pushed electors to vote for Clinton regardless of the popular vote, arguing that Trump was unfit for the job and could be a potential demagogue. This raises a question: can electors ignore the popular vote of their state in the 21st century? The answer to this question is not unanimous. For example, 29 state courts passed laws to punish “faithless electors” such as in May 2019 when the Washington State Supreme Court ruled that the state had the power to impose a fine on “faithless electors” on the ground that the constitution allows states to appoint their electors. Months later, a federal appeals court in Denver handed down an opposite decision stating that the Founding Fathers intended for electors to act independently and according to their conscience. Looking back at the constitution, some argue that it only provides the state with the right to appoint electors when others argue that the words “elector,” “vote,” and “ballot” have “a common theme: they all imply the right to make a choice or voice an individual opinion.”³⁵⁹ Looking at the Federalist paper No. 68 written by Alexander Hamilton, it appears clear that electors are here to make their own choice:

It was equally desirable, that the immediate election should be made by men most capable of analyzing the qualities adapted to the situation, and acting under circumstances favorable to deliberation.³⁶⁰

Yet, it has almost never worked like this. About 160 “faithless electors” have chosen not to vote for the winner of their state’s popular vote since the beginning of the Electoral College, and it never changed the result of an election. Besides, electors were never really independent. As soon as political parties were created, electors started taking sides. In the election of 1796, electors took sides either for John Adams or Thomas Jefferson. When one elector who had

³⁵⁹ Adam Liptak, “Supreme Court to Hear Timely Case on Electoral College Voters” *The New York Times*. 17 Jan. 2020, sec. U.S., online, Internet, 27 Feb. 2020. Available: <https://www.nytimes.com/2020/01/17/us/supreme-court-electoral-college.html>.

³⁶⁰ Hamilton, “The Avalon Project.”

promised to vote for Adams voted for Jefferson, it led to outrage, and one federalist even wrote: “Do I choose Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No, I choose him to act, not to think”³⁶¹ – a reaction completely contrary to what Hamilton originally envisioned. Moreover, even using the term “faithless electors” to refer to electors who made their own choice regardless of the popular vote reveals the outrage it would create if electors acted as Hamilton intended them to.

If people are not in agreement with such a meritocratic principle, then why not abolish the Electoral College? One of the main obstacles is that this principle is written within the Constitution. Although 27 amendments have changed the constitution since 1787, it is a complex process. It requires that the amendment be proposed by the Congress with a two-thirds majority vote in both the House of Representatives and the Senate or by a constitutional convention called for by two-thirds of the State legislatures (this has never happened). It then has to be ratified by three-fourths of the states. Moreover, it has survived for political reasons: “The College has survived not because it makes sense, but because one party or the other has believed it gives them an advantage. That may be smart politics, but it’s terrible for a democracy.”³⁶² A solution to diminish the unfairness of the Electoral College would be to follow the lead of Maine and Nebraska and abolish the winner-takes-all principle which is not in the Constitution. It would allow the election to be less distorted and more democratic as every vote will count and more equal as it could spread out the attention to more states during the campaign. Yet, many states benefit from using the winner-takes-all principle because it maximizes their influence in selecting the president.³⁶³ Abolishing the Electoral College

³⁶¹ Jesse Wegman, “Why Do We Have an Electoral College Again?” *The New York Times*. 25 Jan. 2020, online, Internet, 25 Feb. 2020. Available: <https://www.nytimes.com/2020/01/25/opinion/sunday/electoral-college-supreme-court.html>.

³⁶² The Editorial Board, “Fix the Electoral College — Or Scrap It” *The New York Times*. 30 Aug. 2019, online, Internet, 19 Mar. 2020. Available: <https://www.nytimes.com/2019/08/30/opinion/electoral-college.html>.

³⁶³ Josh Chafetz, “Why We Should Abolish the Electoral College” *The New York Times*. 17 Mar. 2020, sec. Books, online, Internet, 1 Apr. 2021. Available: <https://www.nytimes.com/2020/03/17/books/review/let-the-people-pick-the-president-jesse-wegman.html>.

would help promote a more participatory democracy, encourage people to vote, and be equally agents over the future of their country.

B. Marginalized and Powerless Workers: The Decline of Labor Unions and its Impact

Another way to be an agent of one's future is to be united so that individual requests gain strength. This is the purpose labor unions serve. Workers join forces to be more powerful, to be the agent of their destiny against a Capital that often does not have their interests at heart. In that sense, the empowerment of workers through labor unions can be seen as part of the American Dream.

Yet, in the last decades, many laws that could have been beneficial to US workers were overruled. In 1965, an effort to repeal the section of the Taft-Hartley Act that allowed state-level right-to-work laws³⁶⁴ was filibustered by the Senate. In 1994, the Senate overruled an effort to pass legislation blocking employers from hiring permanent replacements for striking workers.³⁶⁵ In 2019, the Trump administration opposed the Raise the Wage Act with a Statement of Administration Policy. This act would have increased wages for 33 million workers and lifted 1.3 million people out of poverty.³⁶⁶ Congress has not raised the federal minimum wage since 2009, making it the longest stretch without an increase since the federal minimum wage act was passed in 1938.³⁶⁷ Trump also stood against the Protecting the Right

³⁶⁴ Right-to-work laws give workers the choice to join a union or not. It also makes it optional for employees in unionized workplaces to pay for union dues. When some view it as a way to ensure personal choice and freedom, others view it as anti-union. Indeed, federal law already prohibits compulsory union membership, thus, some think it is only a way to weaken unions.

³⁶⁵ Dwyer Gunn, "What Caused the Decline of Unions in America?" *Pacific Standard*. n.d., online, Internet, 7 Jan. 2021. Available: <https://psmag.com/economics/what-caused-the-decline-of-unions-in-america>.

³⁶⁶ Celine McNicholas, Lynn Rhinehart, and Margaret Poydock, *50 Reasons the Trump Administration is Bad for Workers: President Trump has said he would 'Protect' and 'Fight for' Workers. Instead, his Administration has Systematically Done the Opposite*, (Economic Policy Institute (EPI), September 16, 2020), online, Internet, 22 Nov. 2020. Available: <https://www.epi.org/publication/50-reasons/>.

³⁶⁷ Alexia Fernández Campbell, "Congress has Set the Record for Longest Stretch without a Minimum Wage Increase" *Vox*. 19 Jun. 2019, online, Internet, 7 Jan. 2021. Available: <https://www.vox.com/2019/6/19/18683868/congress-federal-minimum-wage>.

to Organize Act, thus denying workers more bargaining power on the job. This is not surprising if you take into account the fact that corporatism is weak in the US, and because of that, workers struggle to make their voices heard. Corporatism is a political system which balances different interest groups against one another (labor unions representing workers against businesses) and has the government as a neutral arbitrator to moderate disagreements. It serves as a barrier against corporate tyranny.

Although the United States already ranked near the bottom among developed nations in terms of union membership, it has dramatically dwindled in the last decades, from around 35% in the mid-1950s to about 10% today – with an even lower rate of 6.2% for private-sector workers.³⁶⁸ Many economists tie this decline to the economic trends which resulted in the disappearance of many of the traditionally unionized jobs in the manufacturing sector. However, other developed countries faced these same economic changes and have not met the same decline. Other free-market economies such as in Scandinavian countries have union membership close to 70%.³⁶⁹ One can thus wonder what caused such a decline in the US when it has been proven that unionized workers have greater life satisfaction.³⁷⁰

The history of American labor unions has always been characterized by violence and distrust. In the 1920s, employers were not obligated to recognize and bargain with unions which led to several bloody strikes, such as the Ludlow Massacre of 1914 in which an anti-striker militia attacked striking coal miners with guns. Twenty-five people died including miners' wives and children.³⁷¹ After the Great Depression, unions grew stronger thanks to

³⁶⁸ David Leonhardt and Yaryna Serkez, “The U.S. Is Lagging Behind Many Rich Countries. These Charts Show Why.” *The New York Times*. 2 Jul. 2020, sec. Opinion, online, Internet, 7 Jan. 2021. Available: <https://www.nytimes.com/interactive/2020/07/02/opinion/politics/us-economic-social-inequality.html>.

³⁶⁹ Robert Gebelhoff, “Why are Unions in the U.S. so Weak?” *Washington Post*. n.d., online, Internet, 7 Jan. 2021. Available: <https://www.washingtonpost.com/news/in-theory/wp/2016/08/01/why-are-unions-in-the-u-s-so-weak/>.

³⁷⁰ Patrick Flavin and Gregory Shufeldt, “Labor Union Membership and Life Satisfaction in the United States” *Labor Studies Journal*. 41.2 (2016): 171–184.

³⁷¹ “Ludlow Massacre | United States history [1914]” *Encyclopedia Britannica*. n.d., online, Internet, 8 Jan. 2021. Available: <https://www.britannica.com/event/Ludlow-Massacre>.

President Franklin Roosevelt's progressive legislation. He encouraged workers to push him to defend their best interest with his famous sentence "force me to do it."³⁷² It is also at that time that one of the most important labor laws in America, the Wagner Act, was passed. It gave workers the right to organize and join unions, to be represented by people of their choice, to strike, and most importantly, it banned unfair labor practices by employers such as interfering with employees' right to bargain collectively or discouraging union membership. However, after WWII the business offensive against unions began. It took two forms: a political one with anti-union policies being enacted and a more informal one that consisted of propaganda within businesses. Politically first, the Taft-Hartley Act was passed in 1947. It created significant restrictions on unions. For example, it implemented the state-level right-to-work laws; allowed the president to block the continuation of a strike by seeking a federal court injunction, if himself and a board of inquiry believed it endangered national health or safety; and it required union leaders to sign affidavits declaring they were not communist sympathizers.³⁷³ In this period known as the second Red Scare, an anti-communist witch-hunt, also known as McCarthyism, was often used to purge and frighten socialists and labor unions into dissociating themselves from former communist allies. In the 1970s, conservative politicians portrayed unions as coercive and many liberals also became wary of unions.³⁷⁴ Secondly, more informal ways to weaken unions were also used: propaganda campaigns by employers were not rare. Employers worked together in organizations such as the National Association of Manufacturers and staged campaigns to persuade workers to vote against unionization, sometimes even going as far as illegally firing workers who were susceptible to

³⁷² Chomsky, *Requiem for the American Dream*.

³⁷³ "How Did the Taft-Hartley Act Come About?" | History News Network," n.d., online, Internet, 8 Jan. 2021. Available: <https://historynewsnetwork.org/article/1036>.

³⁷⁴ Kimberly Phillips-Fein, "How Employers Broke Unions by Creating a Culture of Fear" *Washington Post*. n.d., online, Internet, 8 Jan. 2021. Available: <https://www.washingtonpost.com/news/in-theory/wp/2016/08/02/how-employers-broke-unions-by-creating-a-culture-of-fear/>.

be pro-union.³⁷⁵ The attack against unions increased during the Reagan years and continued in the 1990s with Presidents Bush and Clinton.³⁷⁶ This propaganda as well as the fact that labor unions had never managed to unionize the South resulted in weak corporatism on the Labor side under both Republican and Democratic leadership.

Today, the complicated past of labor unions can be discouraging for workers who may want to join a union.

When employers have been able to wield such political power, and when there are so many examples of collective defeat, it can seem as though acting alone is the only real way to improve your life.³⁷⁷

This is all the truer as propaganda against unions still exists today: some employers show antiunion videos in breakrooms, organize meetings to tell workers that unions are corrupt and only interested in collecting dues,³⁷⁸ and some researchers report with uncertain motives that in 2005, “union organizers and activists faced a 15 to 20% chance of being fired.”³⁷⁹ This still happens because punishment for those companies is negligible.³⁸⁰ Without accountability, change is impossible and distrust towards unions persists. According to a Gallup poll, labor unions are less trusted than banks, and that was still true even the year just after the 2008 crisis in the banking sector. To the question: “How much confidence do you have in these institutions?” only 19% of the people questioned in 2009 answered “a great deal/ quite a lot” for organized labor, against 22% for banks.³⁸¹ Many American people believe without

³⁷⁵ Ibid.

³⁷⁶ Chomsky, *Requiem for the American Dream*.

³⁷⁷ Gebelhoff, “Why are Unions in the U.S. so Weak?”

³⁷⁸ Steven Greenhouse, “American Unions have been Decimated. No Wonder Inequality is Booming” *The Guardian*. 15 Aug. 2019, sec. Opinion, online, Internet, 8 Jan. 2021. Available: <http://www.theguardian.com/commentisfree/2019/aug/15/valuing-corporations-over-workers-has-led-to-americas-income-inequality-problem>.

³⁷⁹ John Schmitt and Ben Zipperer, *Dropping the Ax: Illegal Firings During Union Election Campaigns*, (Center for Economic and Policy Research, January 2007).

³⁸⁰ Greenhouse, “American Unions have been Decimated. No Wonder Inequality is Booming.”

³⁸¹ “Confidence in Institutions” *Gallup.com*. 22 Jun. 2007, online, Internet, 8 Jan. 2021. Available: <https://news.gallup.com/poll/1597/Confidence-Institutions.aspx>.

evidence that unions drag down the economy.³⁸² However, when looking at other countries, it appears clear that unions are not responsible for that. In Germany, car workers have strong unions: they earn about \$67 per hour against \$34 for the average American autoworker. Yet, Germany's car companies produced twice as many cars as American companies did in 2010, and that with high profits. Moreover, historically, the peak years for unions in the US were the 1940s and 1950s which were also some of the fastest growing years.³⁸³ This feeling that American companies are less profitable might come from a different distribution of profits. In 1965, chief executives at big companies earned about 20 times as much as the average worker, against 296 times as much in 2013.³⁸⁴ The fact that CEOs grab a bigger share of the profits may be due at least in part to the decline of unions. Indeed, it has been estimated by the Harvard Economist Richard Freeman that the decline of unions explains about 20% of the income gap.³⁸⁵

Thus, it is important that more American people join unions if they want to prosper. It has been demonstrated that it is in their best interest since unionized workers earn higher wages than non-unionized workers³⁸⁶ and have more and better healthcare benefits.³⁸⁷ It would also be in workers' interest that collective bargaining agreements be sector or industry wide as it could benefit more people. In France, union-membership is regrettably low (around

³⁸² Nicholas Kristof, "The Cost of a Decline in Unions" *The New York Times*. 19 Feb. 2015, sec. Opinion, online, Internet, 11 Jan. 2021. Available: <https://www.nytimes.com/2015/02/19/opinion/nicholas-kristof-the-cost-of-a-decline-in-unions.html>.

³⁸³ Ibid.

³⁸⁴ Alyssa Davis and Lawrence Mishel, *CEO Pay Continues to Rise as Typical Workers Are Paid Less*, (Economic Policy Institute (EPI), June 12, 2014), online, Internet, 11 Jan. 2021. Available: <https://www.epi.org/publication/ceo-pay-continues-to-rise/>.

³⁸⁵ Joe Nocera, "Turning Our Backs on Unions" *The New York Times*. 5 Jun. 2012, sec. Opinion, online, Internet, 11 Jan. 2021. Available: <https://www.nytimes.com/2012/06/05/opinion/nocera-turning-our-backs-on-unions.html>.

³⁸⁶ *Nonunion workers had weekly earnings 81 percent of union members in 2019: The Economics Daily: U.S. Bureau of Labor Statistics*, online, Internet, 11 Jan. 2021. Available: <https://www.bls.gov/opub/ted/2020/nonunion-workers-had-weekly-earnings-81-percent-of-union-members-in-2019.htm>.

³⁸⁷ "Nonunion Workers had Weekly Earnings 81 Percent of Union Members in 2019" *US Bureau of Labor Statistics*. 28 Feb. 2020, online, Internet, 11 Jan. 2021. Available: <https://www.bls.gov/opub/ted/2020/nonunion-workers-had-weekly-earnings-81-percent-of-union-members-in-2019.htm>.

10%), however, almost 100% of workers are covered by collective bargaining agreements that allow non-union workers to piggyback on the victories of their unionized coworkers.³⁸⁸

Weak unions make workers powerless as they are less likely to be consulted about important decisions within firms. The situation is quite different in Germany where half of the supervisory board must be employee representatives in companies with more than 2,000 employees and one third for companies with more than 500 employees.³⁸⁹ This is one of the reasons why Germany embraces friendlier policies than America does. For example, German companies invest more money in worker training and offshore their production less often than American firms.³⁹⁰ The decline of unions marginalizes workers and makes them powerless in the face of increasingly strong global businesses. This is illustrated in the workplace but also outside. Indeed, the decline of unions results in rising inequality and damages democracy. In the 2020 election cycle, business outspent unions 16 to 1.³⁹¹ It means that Congress is more likely to hear and protect corporations' interests rather than workers', thus the failure to increase the minimum wage. Indeed, without the checks and balances that would provide strong unions, the US resembles an oligarchy that strongly favors Capital over Labor. This is the view of Princeton University Professor Martin Gilens and Northwestern University Professor Benjamin I. Page in their study:

The preferences of economic elites [...] have far more independent impact upon policy change than the preferences of average citizens do.³⁹²

Thus, the decline of labor unions has made Labor weaker and Capital stronger, raising inequality of opportunity and challenging democracy and the American Dream along the way.

³⁸⁸ Gunn, "What Caused the Decline of Unions in America?"

³⁸⁹ Carsten Van DE Sande and Sven H. Schneider, "The Corporate Governance Review: Germany" *The Law Reviews*. 29 Mar. 2021, online, Internet, 25 Jan. 2021. Available: <https://thelawreviews.co.uk/edition/the-corporate-governance-review-edition-10/1222280/germany>.

³⁹⁰ Greenhouse, "American Unions Have Been Decimated. No Wonder Inequality is Booming"

³⁹¹ "Business-Labor-Ideology Split in PAC & Individual Donations to Candidates, Parties, Super PACs and Outside Spending Groups" *OpenSecrets*. n.d., online, Internet, 25 Jan. 2021. Available: <https://www.opensecrets.org/elections-overview/business-labor-ideology-split>.

³⁹² Martin Gilens and Benjamin I. Page, "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens" *Perspectives on Politics*. 12.3 (2014): 564–581.

C. The Vicious Cycle of the Concentration of Wealth and Power

Wealth and power have always been intertwined, harming democracy and equality at the same time. Lobbying, which consists in persuading elected people to support laws that give you or your company an advantage, is the best way for those in possession of wealth to gain more power – with the ultimate goal to gain even more money (and even more power). Lobbying grew in the 60s and 70s in the US as business tycoons were upset by the egalitarian and progressive legislation passed in the three decades from Roosevelt to Johnson.³⁹³ Even Richard Nixon, implemented consumer safety legislation, safety and health regulations in the workplace, and created the Environmental Protection Agency. Much policy activism got started in those years, as well as public interest groups such as those established by Ralph Nader.³⁹⁴ It seemed that more social advances were to come as the Democrats had expanded their majorities in both houses of Congress in the 1974 election due to Nixon’s humiliating resignation following the Watergate scandal. Bryce Harlow, senior Washington representative for Procter & Gamble³⁹⁵ was to say later about that period: “The danger had suddenly escalated [...] We had to prevent business from being rolled up and put in the trash can by Congress.”³⁹⁶ He and others, notably Lewis Powell with his famous 1971 “memo,” would build the backlash that eventually became the neoconservative movement.

A coordinated effort began and lobbying sharply increased leading to regulatory capture. Regulatory capture is a strategy developed by George Stigler which says that regulatory agencies within governments which are supposed to regulate businesses for the

³⁹³ Chomsky, *Requiem for the American Dream*.

³⁹⁴ Ralph Nader investigated several issues, the first one gave birth to his bestselling book *Unsafe at Any Speed* (1965) which criticizes the safety records of American automobile manufacturers. He then used his growing popularity to establish several public interest groups such as the Public Interest Research Group, the Center for Auto Safety, and Public Citizen. His activism helped pass several pieces of American consumer protection legislation.

³⁹⁵ Procter & Gamble (P&G) is an American multinational consumer goods corporation. It was ranked 50th of the Fortune 500 in 2020.

³⁹⁶ Jacob S. Hacker and Paul Pierson, *Winner-Take-All Politics: How Washington Made the Rich Richer-and Turned its Back on the Middle Class*, 1st Simon & Schuster hardcover ed. (New York: Simon & Schuster, 2010), p.117.

public interest might, if populated with bribable leaders lacking public virtue, act in the interest of those same businesses as they spend a large budget to influence regulators, whereas individuals have limited resources to defend their own rights. In other words, a company will make a large donation to a political party, hoping that this party will pass laws that are favorable to this same company, which would thus have more money, enabling it to make bigger donations, thus having more power – and more money, and the vicious cycle of the concentration of wealth and power goes on.

This represents a threat to majoritarian democracy for two main reasons. First, it implies that corporate interests such as low taxes come before individuals' interests such as health insurance and unemployment benefits. Secondly, it implies that political campaigns and debate are shaped by corporations (as candidates who would campaign for higher taxes on the wealthiest people are less likely to receive donations from them and thus less likely to actually campaign for higher taxes). This is undemocratic but does not seem as harmful to some as it actually is, since only a few billionaires talk freely about their political views and those billionaires tend to be progressive. For example, Bill Gates and Mike Bloomberg support the estate tax and Warren Buffett and George Soros encourage a generous social security system. However, they are outliers. A book by Benjamin I. Page, Jason Seawright, and Matthew J. Lacombe shows that most of the wealthiest US billionaires are conservative on economic policies: they favor tax cuts, less regulatory policies, and do not favor robust social safety net policies. However, contrary to Gates or Bloomberg, they remain silent about their contributions and prefer “stealth politics.”³⁹⁷ One of the problems with lobbying is a growing lack of transparency when these billionaires do not make direct donations. Instead, they donate through political action committees to which hundreds of billionaires donate. Those persistent organizations enable donors to have more political leverage than scattered

³⁹⁷ Benjamin I. Page, Jason Seawright, and Matthew J. Lacombe, *Billionaires and Stealth Politics*, First edition. (Chicago ; London: University of Chicago Press, 2018).

donations to politicians.³⁹⁸ This is called “dark money:” those organizations enable the wealthiest people to influence politics without revealing their identities.³⁹⁹ Donations are sometimes made offshore which makes it even harder to identify the donors.

Some donations are identifiable and seem to be very profitable for billionaires: Pfizer, a notable Covid vaccine developer, contributed \$16 million to the Republican Party in 2016 and will get back \$39 *billion* in tax savings by 2022; General Electric donated \$20 million and will receive \$16 billion; the Koch brothers spent more than \$20 million and will save their family between \$1 billion and \$1.4 billion every year.⁴⁰⁰ Such sums of money are possible today because of the 2010 *Citizens United vs Federal Election Commission* Supreme Court case which had a tremendous impact on lobbying – and democracy. Citizens United is a corporate front group backed by major funding from wealthy people such as the Koch brothers. In 2008, it wished to broadcast an ad for a film criticizing Hillary Clinton. Yet, it was in violation of the 2002 McCain-Feingold Act, which barred corporations from buying ads about candidates immediately preceding elections. In a 5-4 ruling, the Supreme Court decided that the first amendment protecting the freedom of speech protects the freedom of corporate speech too. It allowed unlimited spending by corporations, unions, and other groups, and thus unlimited influence on elections. The 2010 midterm election saw an unprecedented rise in donations: the midterm election costed \$4.3 billion in 2010 against \$3.6 and \$3.1 billion in the 2006 and 2002 midterm elections.⁴⁰¹

³⁹⁸ Alexander Hertel-Fernandez Skocpol Caroline Tervo, Theda, “How the Koch Brothers Built the Most Powerful Rightwing Group You’ve Never Heard of” *The Guardian*. 26 Sep. 2018, sec. US news, online, Internet, 14 Jan. 2021. Available: <http://www.theguardian.com/us-news/2018/sep/26/koch-brothers-americans-for-prosperity-rightwing-political-group>.

³⁹⁹ George Monbiot, “How US Billionaires are Fueling the Hard-Right Cause in Britain” *The Guardian*. 7 Dec. 2018, sec. Opinion, online, Internet, 14 Jan. 2021. Available: <http://www.theguardian.com/commentisfree/2018/dec/07/us-billionaires-hard-right-britain-spiked-magazine-charles-david-koch-foundation>.

⁴⁰⁰ Robert Reich, “Trump is the Natural Consequence of our Anti-Democracy Decade” *The Guardian*. 8 Dec. 2019, sec. Opinion, online, Internet, 15 Nov. 2020. Available: <https://www.theguardian.com/commentisfree/2019/dec/08/donald-trump-citizens-united-anti-democracy-decade>.

⁴⁰¹ “Cost of Election” *OpenSecrets*. n.d., online, Internet, 14 Jan. 2021. Available: <https://www.opensecrets.org/elections-overview/cost-of-election?display=T>.

The best example to illustrate the influence billionaires can have on US politics is the Koch brothers. Although their influence on politics managed to remain unknown for some time, their meddling has been investigated by several researchers across the globe in the last decade. David Koch, who died in 2019, and his brother Charles Koch were co-owners of Koch Industries, a conglomerate involved in petroleum, chemicals, timber, paper, finance, and commodities trading, among other fields. They are conservatives and libertarians. They favor tax cuts, low regulation, and are against social programs. Their companies are huge polluters: they have been condemned several times for oil spills, illegal benzene emissions, and ammonia pollution. In 1999, after an accident which led to the death of two, a jury found that Koch Industries knowingly used a corroded pipeline to carry butane.⁴⁰² Their political influence was little known because they use dark money. As George Monbiot, who investigates the influence of corporations on politics, explains:

The Kochs' chief political lieutenant, Richard Fink, developed what he called a three-stage model of social change. Universities would produce "the intellectual raw materials". Thinktanks would transform them into "a more practical or usable form". Then "citizen activist" groups would "press for the implementation of policy change". To these ends the Kochs set up bodies in all three categories themselves, such as the Mercatus Center at George Mason University, the Cato Institute, and the "citizens' group" Americans for Prosperity. But for the most part they funded existing organizations that met their criteria. They have poured hundreds of millions of dollars into a network of academic departments, thinktanks, journals and movements.⁴⁰³

The Koch brothers stealthily exerted their influence through these three institutions among others. According to the *Wall Street Journal*, 14 of the 23 regulations that George W. Bush put on his hit list were first suggested by scholars from The Mercatus Center.⁴⁰⁴ In 1997, the Environmental Protection Agency (EPA) proposed a rule to reduce surface ozone which was criticized by a researcher at the Mercatus Center. Two years later, the District of Columbia

⁴⁰² Monbiot, "How US Billionaires are Fueling the Hard-Right Cause in Britain"

⁴⁰³ Ibid.

⁴⁰⁴ Bob Davis Staff, "In Washington, Tiny Think Tank Wields Big Stick on Regulation" *Wall Street Journal*. 16 Jul. 2004, sec. News, online, Internet, 14 Jan. 2021. Available: <https://www.wsj.com/articles/SB108994396555065646>.

Circuit Court ruled that the EPA had “explicitly disregarded” the “possible health benefits of ozone.” It was later revealed that the judges had been offered a trip to a Montana ranch, that was arranged by the Foundation for Research on Economics and the Environment – a group funded by Koch family foundations. The Cato Institute, although being sometimes critical of both parties, has always advocated for *laissez-faire* environmental policies, reduction in social programs, and corporate tax cuts.⁴⁰⁵ Following a speech by Obama in 2008 where he stated that global warming was “beyond dispute,” the Cato Institute dedicated a full-page ad in the *Times* to contradict him. Yet, the most important organization within the Koch network is the Americans for Prosperity (AFP). AFP has nearly three million citizen activists, and taken together, the volunteers and the staffing rival those of the Republican Party itself.⁴⁰⁶ They are active on national, regional, and state levels. Their goal is to make lasting changes in the American political landscape. They had been particularly efficient in Wisconsin where they managed to help elect the Republican Scott Walker in 2011, whereas Wisconsin had elected Democrats since 2003. Their strategy was to “take the unions out at the knees” as one top AFP staffer put it. They wanted to permanently weaken the organizations supporting liberal candidates. It worked since among Walker’s signature projects was the 2011 Wisconsin Act 10 which seriously hurt unions. Public union membership rates fell from around 50% in 2011 to around 19% by 2017. This represents a large and lasting impact, but it might have had another one since in 2016 Trump won Wisconsin by only 23,000 votes.⁴⁰⁷ A weak labor union system could likely be a reason for the Democrats’ defeat there.

⁴⁰⁵ Jane Mayer, “The Koch Brothers’ Covert Ops” *The New Yorker*. n.d., online, Internet, 13 Jan. 2021. Available: <https://www.newyorker.com/magazine/2010/08/30/covert-operations>.

⁴⁰⁶ Skocpol, “How the Koch Brothers Built the Most Powerful Rightwing Group You’ve Never Heard of.”

⁴⁰⁷ Ibid.

The list of the Koch network's victories also includes their meddling to prevent the expansion of Medicaid to poor uninsured adults in states like Missouri and Tennessee,⁴⁰⁸ as well as the fact that the AFP created the Tea Party Facebook page and organized its events. The Tea Party is a popular conservative movement within the GOP composed of citizens who claim they are fighting against elites, unaware that the very events they attended had been organized by those same elites.⁴⁰⁹ However, their biggest victory is the declining confidence and engagement of American people in the political system. In 1964, 29% said government was "pretty much run by a few big interests looking out for themselves" and 64% said the government was "run for the benefit of all the people." However, in 2015, only 19% say the government is run for the benefit of all.⁴¹⁰ One of the consequences of stealth politics – and the feeling that the very wealthy people's meddling will never be punished – is some citizens getting used to it, and others giving up on democracy, and turning to more extreme ways of achieving their goals. Stealth politics is an impediment to democracy – and thus to the American Dream – as the common people do not have the same leverage that the elites do to shape their destiny and the destiny of their country.

D. Democracy in Crisis: The Rise of Populism and Fascism

In the last forty years, Democrats and Republicans have grown further apart. While the GOP has become more conservative and monolithic, the Democratic Party has had a more ambiguous position, embracing liberal stances on some social issues such as same-sex marriage or abortion, but being less progressive on economic issues such as raising the

⁴⁰⁸ Alexander Hertel-Fernandez, Theda Skocpol, and Daniel Lynch, "Business Associations, Conservative Networks, and the Ongoing Republican War over Medicaid Expansion" *Journal of Health Politics, Policy, and Law*. (2016): 48.

⁴⁰⁹ George Monbiot, "The Tea Party Movement: Deluded and Inspired by Billionaires" *The Guardian*. 25 Oct. 2010, sec. Opinion, online, Internet, 15 Jan. 2021. Available: <http://www.theguardian.com/commentisfree/cifamerica/2010/oct/25/tea-party-koch-brothers>.

⁴¹⁰ Carroll Doherty et al., *Beyond Distrust: How Americans View their Government*, (Pew Research Center, November 23, 2015), online, Internet, 14 Jan. 2021. Available: <https://www.pewresearch.org/politics/2015/11/23/1-trust-in-government-1958-2015/>.

minimum wage, taxing the rich at higher rates, and defending unions. Since President Clinton, the Democratic Party has failed to live up to its Roosevelt-to-Johnson ideal of protecting working people against wealthy elites, siding too many times with corporations and against Labor, leaving some workers feeling betrayed and powerless, and therefore tempted by fascist extremism.

Populism is an ideology which separates society into two antagonistic groups (“us vs. them”) and considers that politics should be an expression of the general will of the people.⁴¹¹ Traditionally, inclusive left-wing populism going back to William Jennings Bryan separates society between the virtuous Many laboring “people” and the exploitive “elite” Few. Right-wing populism, on the other hand, is not focused on economics, but instead using other criteria to divide society into a chosen ingroup and enemy outgroups (Jews, Communists, people of color, immigrants). Therefore, populism’s rhetoric varies depending on its goals. It advocates policies that are likely to be popular among the electorate depending on the context.⁴¹² Thus, Trump’s populist rhetoric used both the traditional right-wing rhetoric, but also left-wing themes, thus taking advantage of the Democrats’ internal divisions. Trump claimed to be the defender of ordinary citizens (“the silent majority,” “the forgotten Americans,” the “real people”) against the dishonest elites (“crooked Hillary,” “corrupt politicians,” the “fake” media, “enemies of the people,” “the deep state” (public sector bureaucrats), the “dysfunctional” political parties) and the system (“fraudulent” elections, “a rigged system”).⁴¹³ These terms denounce the elite, but are also dog whistles to vilify certain elites who have become increasingly liberal. “Dishonest elites” are elites who are willing to

⁴¹¹ Cas Mudde, “The Populist Zeitgeist” *Government and Opposition*. 39.4 (2004): p.543.

⁴¹² Yuki Fukuoka, *The Populism Surge in the West: The Growing Support for Left-Wing Populism Among Young People and Its Implications for Environmental Policies*, (Mitsui & Co, 2020), Available: https://www.mitsui.com/mgssi/en/report/detail/_icsFiles/afieldfile/2020/05/28/2002c_fukuoka_e.pdf.

⁴¹³ Pippa Norris and Ronald Inglehart, *Cultural Backlash: Trump, Brexit, and Authoritarian Populism*, (Cambridge: Cambridge University Press, 2019), online, Internet, 22 Jan. 2021, pp.4-7. Available: <https://www.cambridge.org/core/books/cultural-backlash/3C7CB32722C7BB8B19A0FC005CAFD02B>.

allow people of color equal participation in the democracy game. The “fake” media is the media which no longer covers up white supremacy as it used to. As Jason Stanley explains, the fascist rhetoric that Trump deployed is characterized by an idealized past (“Make American Great Again”); a strong paternalist figure without whom everything would go wrong (“If I ever got impeached, I think the market would crash. I think everybody would be very poor”); a clear-cut division (Us vs. Them) (Mexicans are “bringing drugs, they’re bringing crimes, they’re rapists,”⁴¹⁴ immigrants “are taking our jobs. They’re taking our manufacturing jobs. They’re taking our money. They’re killing *us*”)⁴¹⁵ and a truth called into question (“fake news,” “The campaign, which I won, by the way,”⁴¹⁶ “99%” of COVID-19 cases are “totally harmless”⁴¹⁷).⁴¹⁸ Trump appealed to a past when the US was the undisputed leader of the world, terrorism such as the 9/11 attack only occurred in remote lands, and traditional power relationships between men and women, black and white prevailed.⁴¹⁹ He used a “politics of fear” to justify his policies, because if you picture Mexicans as “rapists” and Muslims as “terrorists” then you need high walls and a strong leader to protect you; it justifies a “zero tolerance” policy when separating immigrant children from their parents at the US border.⁴²⁰ Then the fascist rhetoric is no longer about style only but becomes a substantive rationale. Many were shocked but others applauded when Trump failed to condemn outright extremist groups like the neo-Nazis engaged in the Charlottesville Unite the Right rally in 2017, the Proud boys, telling them to “stand back and stand by” (2020), and the

⁴¹⁴ *Drug Dealers, Criminals, Rapists’: What Trump Thinks of Mexicans*, (BBC, 2016), online, Internet, 22 Jan. 2021. Available: <https://www.bbc.com/news/av/world-us-canada-37230916>.

⁴¹⁵ Sally Kohn, “Nothing Donald Trump Says on Immigration Holds Up” *Time*. 29 Jun. 2016, online, Internet, 22 Jan. 2021. Available: <https://time.com/4386240/donald-trump-immigration-arguments/>.

⁴¹⁶ *I Won, by the Way’: Trump Falsely Claims Election Win*, (BBC, 2020), online, Internet, 22 Jan. 2021. Available: <https://www.bbc.com/news/av/election-us-2020-55024445>.

⁴¹⁷ Christian Paz, “All the President’s Lies About the Coronavirus” *The Atlantic*. 2 Nov. 2020, sec. Politics, online, Internet, 22 Jan. 2021. Available: <https://www.theatlantic.com/politics/archive/2020/11/trumps-lies-about-coronavirus/608647/>.

⁴¹⁸ Spencer Bokart-Lindell, “Fascism: A Concern” *The New York Times*. 30 Jul. 2020, sec. Opinion, online, Internet, 22 Jan. 2021. Available: <https://www.nytimes.com/2020/07/30/opinion/fascism-us.html>.

⁴¹⁹ Norris and Inglehart, *Cultural Backlash*, p.52.

⁴²⁰ *Ibid*, pp.7-8.

rioters who invaded the Capitol (2021); he failed to condemn conspiracy theories such as QAnon; he sent federal forces to quell peaceful demonstrations for racial equality; promoted violence in his rallies; and refused to accept his defeat after the presidential election.

Even though opinions vary as to whether Trump was a true fascist since he worked within a democratic, multi-party framework and did not use massive violence against his opponents as other fascists did in the past, he did call into question democracy's rules and norms many times. This is the biggest difference between right-wing and left-wing populism. While right-wing populism wishes to question and contain democracy, left-wing populism encourages more democracy, equality, justice, accountability, and solidarity. Yet, US left-wing populism has lost much of its popular support because its traditional standard bearer, the Democratic party, has for forty years been too indulgent towards finance and capitalists. Global capitalism has divided citizens in two: the minority of winners and the majority of losers in unregulated open labor markets. The shutting and offshoring of factories, the decline of secure and unionized jobs, stagnant wages, growing inequality and insecurity, lack of opportunities for social mobility, and the feeling that successive administrations fail to solve these problems made people increasingly vulnerable and angry. This economic vulnerability creates conditions for a tribalist solidarity around common conservative values and a self-righteous rejection of outsiders.⁴²¹ Thus, some people are economically vulnerable *or fear to be* and feel that their status and place in society is threatened by minorities. As a result, they can be tempted to rally behind an authoritarian leader to protect them and their jobs against undeserving "takers." Moreover, left-wing populism's leaders failed to create as much enthusiasm around one candidate as Trump did, with both progressive candidates Bernie Sanders and Elizabeth Warren having to withdraw from the 2020 Democratic primary. Yet, a

⁴²¹ Ibid, p.350.

strong left-wing populism would be needed to reaffirm their ideals against the movement of disinformation and violence right-wing populism has been leading.

The extremism and the popularity of right-wing populism represent a threat to democracy for four main reasons. First, it is important to stress that it is not a US phenomenon only, as far-right movements such as the National Front in France and the UK Independence Party have had a growing influence. However, there is one significant difference: these are minority parties. The US has only two main parties, if one of them becomes extreme, it has major consequences for democracy's ability to function. Indeed, it normalizes extremism and violence. Trump has relied on racist, xenophobic, and Islamophobic discourse and the Republican elites mostly stood by his side until he refused to accept his electoral loss after November 3, 2020. This extreme behavior shifts the boundaries of what is permissible in the political debate and in everyday life; it normalizes what was formerly unacceptable discourse, behavior, and policy. Secondly, right-wing populist rhetoric damages confidence in democracy. By constantly criticizing political institutions, politicians, courts, and the media, skepticism about democracy could turn into cynicism or abandonment of the whole process.⁴²² By not showing respect to core democratic institutions such as free and fair elections, they can come to seem illegitimate, and it can lead to violence, as illustrated by the Capitol attack. Thirdly, right-wing populist discourse polarizes the population even more than it already is. It turns people against each other by creating scapegoats and picturing them as the reason for other people's misery. It leads to hatred towards those groups and the people that defend them. Finally, it blurs the line between what is real and what is not. By not refuting conspiracy theories, by claiming he won the presidential election, by denouncing "fake news," Trump created his own alternate reality and waged war against basic arithmetic

⁴²² Ibid, p.420.

and reality-based decision-making. When lies are everywhere and truth is called into question, no one can agree on what is true anymore, and debate and democracy become impossible.

Trump's mandate normalized disinformation and violent speech. Thus, Trump – and the fact that the Republican Party stood by his side – has shaken two pillars of the American Dream: democracy and equality. Nevertheless, the fact that Donald Trump failed to be reelected is a good sign for America's democracy and equality. Yet, the left-wing has to prove they can live up to their stated ideals and will not once again yield to or be captured by capitalists' interests at the cost of labor. Republicans also need to decide if they want to advocate for the policy preferences of frustrated voters unhappy with Democratic solutions while refusing to endorse ethno-nationalism; or if they prefer to embrace neofascist authoritarianism – in effect Trumpism with or without Trump which would still constitute a serious threat to democracy, equality, and the American Dream.⁴²³

⁴²³ Bart Bonikowski, "Trump's Populism: The Mobilization of Nationalist Cleavages and the Future of US Democracy" in *When Democracy Trumps Populism: European and Latin American Lessons for the United States*. (New York: Cambridge University Press, 2019)., pp.130-131.

Conclusion

The American Dream contains a certain amount of subjectivity. It can have a different specific meaning to different people. Thus, when Donald Trump stated, “Sadly, the American Dream is dead,”⁴²⁴ it was – like many of his pronouncements – rather vague. The American Dream might be dead for some people, but not for others, depending on how one interprets it. In this document, I focused on four main ideals: upward social mobility, equality (of rights and opportunity), freedom (from fear), and democracy. Yet, this list is not exhaustive. For instance, a 2019 American Enterprise Institute (AEI) survey on the American Dream found that 83% thought having a good family life was an essential component of the American Dream.⁴²⁵ While some people debate whether the American Dream is dead or alive, some claim that it has never existed. When the term American Dream was coined, the two first ideals were very uncertain due to the Great Depression; today, all four ideals are seriously in doubt. Wondering if the American Dream was ever born in the first place seems thus a legitimate reply. As I argued in this study, the American Dream ideals face significant challenges today. Yet, one must not forget the word “dream” does not mean reality, but instead an aspiration, hope, or wish. Thus, to answer the question “What is left of the American Dream?” one should perhaps focus on whether it can still be a realistic hope. Even though the American Dream may still function as a motivating hope for some Americans who reinvent it with a new mix of ideals such as family and community (as the AEI survey suggests), I believe the obstacles to achieving the American Dream ideals are numerous. These obstacles can seem overwhelming and lead to fear and despair more than hope – as illustrated by the rise in deaths of despair for middle-aged less educated white American men.

⁴²⁴ Donald Trump: “*The American Dream is Dead*” (2015), 2015, online, Internet, 8 Apr. 2021. Available: <https://www.youtube.com/watch?v=a5pYa5cxLEo>.

⁴²⁵ Samuel J Abrams et al., *Social Capital, Civic Health, and Quality of Life in the United States*, (American Enterprise Institute, February 2019), Available: <https://www.aei.org/wp-content/uploads/2019/02/AEI-Survey-on-Community-and-Society-Social-Capital-Civic-Health-and-Quality-of-Life-in-the-United-States.pdf?x91208>.

The American Dream and the American society have two main enemies that are impossible to overlook or work around: unregulated capitalism and racism. Yet, as James Truslow Adams put it at the time, “it seems to me that there is room for hope as well as mistrust.”⁴²⁶ Perhaps hope is more of a “moral obligation”⁴²⁷ – a duty not to fall into despair and instead to act against the two enemies that are unregulated capitalism and racism in order to finally fulfill the American Dream ideals of upward social mobility, equality, “freedom from fear,” and democracy.

Unregulated capitalism started becoming the norm with the deregulation policies that were passed in the 1980s. As a result, Capital has become stronger than Labor. The latter has been largely abandoned by the US government which since Reagan has pursued a personal responsibility crusade that undermined the notion of collective bargaining and collective responsibilities (of government and corporations) towards communities. Corporate elites have been able to prioritize shareholder interests even in social sectors like healthcare and education. As a result, the US class lines have hardened, leaving the land of opportunity behind other affluent nations such as Canada where the likelihood of moving up the social ladder is twice what it is in the US.⁴²⁸ Economic insecurity has also become an endless issue for an ever-increasing number of Americans, making “freedom from fear” impossible for many. This insecurity has endangered democracy as corporate elites have come to dominate the state, destroying countervailing forces such as labor unions and social welfare programs, and thus endangering the public sphere, and the American Dream.

Yet, the best solution to live up to the American Dream ideals is arguably not to abandon capitalism, but to reform it. The key to doing so is political because the breakdowns are the result of conscious political choices. As Robert Kuttner argues, the US needs inclusive

⁴²⁶ Adams, *The Epic of America*, p.412.

⁴²⁷ Susan Neiman, *Learning from the Germans: Confronting Race and the Memory of Evil*, (PENGUIN Books, 2020), p.385.

⁴²⁸ Hacker, *The Great Risk Shift*, p.13.

progressive populism; it needs a popular mobilization if it wants to contest the power of corporate elites to place the private sector above the public good.⁴²⁹ This is where Roosevelt was successful: he was able to motivate mass movements that reclaimed the significance of the public sphere. He passed progressive legislation that was considered radical, but that is widely accepted today. He showed it was possible to have a strong mixed economy which was more socially just. The US government needs to put an end to radical *laissez-faire* policies which have only benefited the more affluent, who suffer less from a weak public sphere, while leaving stagnant or impoverishing the rest of the population. The US government needs to pass policies that restrain the power of elites while reviving the power of middle-class people. The government also needs to strengthen democratic institutions, rebuild an ethos of solidarity, and restore confidence in the efficacy of public institutions and solutions.⁴³⁰ To do so, Democrats need to embrace social democracy and refute the false narrative disseminated since Reagan that private is always better than public. While liberals believe in the American Dream's ideals, "socialists point out that [those ideals] are worth little without conditions for realizing them."⁴³¹ Workers need better working conditions and protections against exploitation. It is a necessity to ensure that Americans are all given comparable opportunities to succeed. Putting them in a position where they feel basically secure (with affordable healthcare, education, and housing for starters) will encourage them to take the risks they need to succeed. Just like corporations enjoy limited liability to encourage risk-taking, American families should enjoy this same protection from financial ruin.⁴³² Providing economic security through redistributionist policies such as higher taxation on rich people and an expanded welfare state would increase economic opportunity because it would

⁴²⁹ Kuttner, *Can Democracy Survive Global Capitalism?*, p.286.

⁴³⁰ Ibid, pp.296-7.

⁴³¹ Neiman, *Learning from the Germans*, p.340.

⁴³² Hacker, *The Great Risk Shift*, p.160.

limit the financial shocks workers experience due to student loans, health emergencies, unemployment, or retirement.

Even though the word “socialism” still has a negative connotation for many Americans – and was used by Trump as a scare tactic against Biden during the 2020 campaign – it has gained some popular support in recent years. According to the Pew Research Center, 31% had a positive view of socialism in 2011,⁴³³ against 42% in 2019.⁴³⁴ Moreover, in 2020, the majority of Americans chose a more progressive presidential candidate – though some will argue he is not progressive enough – instead of a candidate that cut taxes on rich people, waged war on “Obamacare,” and contested a democratic election. President Joe Biden is willing to put an end to *laissez-faire* policies by signing a \$1.9 trillion stimulus package aimed at helping middle class Americans and their businesses survive the pandemic with targeted government spending and supervision. He also wishes to raise the top corporate tax rate to 28%⁴³⁵ and wants to pass a \$2.25 trillion American Jobs Plan which would make government investments in broadband, electric vehicles, climate change mitigation, elderly care, child benefits, housing, and innovation.⁴³⁶ This would reestablish the federal government as a problem-solver and an active leader in how the economy should grow and function. Biden also wants to embrace progressive policies such as doubling the national minimum wage to \$15 an hour and making public colleges and universities tuition-free for all families with

⁴³³ *Little Change in Public's Response to 'Capitalism,' 'Socialism'*, (Pew Research Center, December 28, 2011), online, Internet, 11 Apr. 2021. Available: <https://www.pewresearch.org/politics/2011/12/28/little-change-in-publics-response-to-capitalism-socialism/>.

⁴³⁴ *Americans' Views of 'Socialism' and 'Capitalism' In Their Own Words*, (Pew Research Center, October 7, 2019), online, Internet, 11 Apr. 2021. Available: <https://www.pewresearch.org/politics/2019/10/07/in-their-own-words-behind-americans-views-of-socialism-and-capitalism/>.

⁴³⁵ Joe Nocera, “Biden Has a Once-in-a-Century Chance to Fix Capitalism” *Bloomberg.com*. 21 Jan. 2021, online, Internet, 11 Apr. 2021. Available: <https://www.bloomberg.com/opinion/articles/2021-01-21/biden-has-a-once-in-a-century-chance-to-fix-capitalism>.

⁴³⁶ Jonathan Easley, Brett Samuels, and Amie Parnes, “White House Moves to Reshape Role of US Capitalism” *The Hill*. 1 Apr. 2021, online, Internet, 11 Apr. 2021. Available: <https://thehill.com/homenews/administration/545836-white-house-moves-to-reshape-role-of-us-capitalism>.

incomes below \$125,000.⁴³⁷ The current administration is a sign of hope for the revival of the American Dream and the American society.

However, there are a lot of obstacles to overcome. Among these is the obstruction in the US Senate and the House of Representatives where Democrats only have a slim majority. Not to mention that Biden has not enough power to fix America's "broken" society single-handedly. Biden's agenda faces a strong opposition from the GOP which controls 27 states out of 50. Since state governments set policy in a vast range of areas, going from education to election rules, housing to the environment, Biden's impact on the US society is limited.

Racism and its exploitation by wealthy interests to "divide and conquer" is the second, and perhaps the greatest enemy to broader fulfillment of the American Dream. Racial hierarchies subvert equality, but also social mobility, "freedom from fear," and democracy. Structural racism and its exploitation by politicians and corporations have perpetuated inequality by preventing African Americans and other minorities from having the same opportunities to climb the social ladder. It has perpetuated a negative image of African American people as criminals which has led to mass incarceration, relentless police violence, and mounting numbers of hate crimes. Racism is etched within the US society and its institutions, the Electoral College being a stark example since it was shaped by slavery. The list of the impacts of structural racism is long.

Racism needs to be addressed for the American Dream to live up to its ideals (and because racism is morally wrong since it has no scientific basis). Racism, especially "anti-black" prejudice, creates an arbitrary divide that is different from other divides like rich and poor, red and blue, since it is a division born out of sin.⁴³⁸ This sin requires acknowledgment (and ultimately reparation.) As Susan Neiman argues in her book *Learning from the*

⁴³⁷ "Plan for Education Beyond High School" *Joe Biden for President: Official Campaign Website*. n.d., online, Internet, 11 Apr. 2021. Available: <https://joebiden.com/beyondhs/>.

⁴³⁸ Easley, Samuels, and Parnes, "White House Moves to Reshape Role of US Capitalism."

Germans: Confronting Race and the Memory of Evil (2019), “you cannot have a healthy present if you bury the shame of your past.”⁴³⁹ The best example to illustrate Neiman’s claim is affirmative action which has been opposed by many since its introduction. As author Jelani Cobb explains “The belief that blacks have been given too much [by affirmative action policies] is made possible by the refusal to countenance how much was actually taken away in the first place.”⁴⁴⁰ Neiman argues that two facts need to be acknowledged. First, the US was built with the profits from slavery from both the plantations of the South and the factories of the North. Secondly, when slavery was abolished, it was replaced by other forms of exclusion and subjugation.⁴⁴¹ Acknowledging the past is a duty and failing to do so means that one is likely to repeat it. Bryan Stevenson, a lawyer and social justice activist, clearly explains the importance of knowing and facing one’s past:

In medicine, you can’t come up with a cure until you understand the nature of the disease. We’re in the midst of this pandemic, and our scientists are desperately trying to figure out how this illness spreads and what are the features that allow it to sicken our population. It’s our knowledge of the truth about the disease that allows us to create effective remedies, and we’ve hidden from the truth of our history of racial inequality.⁴⁴²

In her book, Neiman explains how in Germany open expressions of racism are now politically ruinous.⁴⁴³ By contrast, in the US, Donald Trump managed to get elected with a thinly disguised racist and nativist rhetoric. To explain this difference, Neiman points out the work Germany has put in to acknowledge and apologize for Nazi crimes as well as to pass down the history of Nazism to future generations. The US did not apologize for slavery before 2008 and buried the sin of slavery under negationist ideologies such as the Lost Cause. The US needs to acknowledge its racist past and the extent of structural racism if it wants to put an end to it and live up to the American Dream’s ideal of equality of rights and opportunity.

⁴³⁹ Neiman, *Learning from the Germans*, p.390.

⁴⁴⁰ Ibid, p.315.

⁴⁴¹ Ibid, p.317.

⁴⁴² Ibid, p.389.

⁴⁴³ Ibid, p.310.

Following George Floyd's death, thousands of people defied Covid restrictions to demonstrate in the streets. This was true on a global scale. These demonstrations were an example of people taking to heart Martin Luther King's famous sentence: "Injustice anywhere is a threat to justice everywhere."⁴⁴⁴ It is also an illustration of the responsibility the US has as the world's most powerful country to lead with a positive example. Another reaction to George Floyd's death was the sale of books about race which skyrocketed around the world. Eddo Lodge's *Why I'm No Longer Talking to White People about Race* (2017) became a bestselling book on Amazon in the UK, while Robin DiAngelo's *White Fragility: Why It's So Hard for White People to Talk about Racism* (2018) was number one on Amazon US.⁴⁴⁵ Documentaries and movies about race also multiplied and received high praise, with Netflix creating a "Black Lives Matter" section gathering a selection of movies, documentaries, and series to learn about race such as Ava DuVernay's *The 13th* and *When They See Us*, as well as Raoul Peck's *I Am Not Your Negro*. Citizens learning about race and racism can be a way to empower them to challenge the elites that have been weaponizing racism to serve their own interests. The demands for racial and social justice following George Floyd's death are part of the reasons why there is perhaps room for hope. While the Trump administration has betrayed the inclusivity of the American Dream and failed to live up to the highest ideals of the Founding Fathers, people went in the streets to do so starting in late May 2020. While the government has failed to acknowledge racism and educate its nation about race, some people tried to do it by themselves. Finally, the last evidence of Americans' willingness to fight for those ideals was the turnout to the 2020 presidential election, which was of 66.3% of the

⁴⁴⁴ Martin Luther King, "Letter from a Birmingham Jail," 16 Apr. 1963, online, Internet, 27 Apr. 2021. Available: https://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html.

⁴⁴⁵ Alison Flood, "Anti-Racist Book Sales Surge in US and Britain after George Floyd Killing" *The Guardian*. 3 Jun. 2020, sec. Books, online, Internet, 10 Apr. 2021. Available: <http://www.theguardian.com/books/2020/jun/03/anti-racist-book-sales-surge-us-uk-george-floyd-killing-robin-diangelo-white-fragility>.

voting-eligible population, still low but an increase of 6.2% in comparison to 2016.⁴⁴⁶

Moreover, the majority elected as President a candidate who campaigned for the American Dream's ideals as well as the first woman and woman of color as vice president.

Yet, America's democracy remains fragile. Despite record turnout, a third of Americans did not vote. This is roughly 80 million Americans.⁴⁴⁷ Furthermore, Biden's current slim majority in the US Senate and the House of Representatives may be hard to preserve after the 2022 mid-term elections. Turnout tends to be lower at mid-term elections than at the presidential election and historically leads the current president's party to lose seats. Since Trump is out of the picture and some Americans voted *against* Trump more than *for* Biden, it is likely that these people will not vote this time. If Biden does not secure a majority, it will be hard for him to implement his program – just as it was for Obama after losing the House of Representatives in 2010. Moreover, as mentioned earlier, Biden cannot fix single-handedly the American society. Many policies are set at the state-level where Democrats do not have the majority. Furthermore, Biden's agenda faces fierce opposition from the GOP which is still largely under the spell of Trump's racist, nativist rhetoric.

Although the recent popular mobilization and the new US administration indicate that the US is taking a brighter path towards its stated ideals, the American Dream and the American society do have significant challenges to overcome.

⁴⁴⁶ Kevin Schaul, Kate Rabinowitz, and Ted Mellnik, "2020 Turnout is the Highest in over a Century" *Washington Post*. 5 Nov. 2020, online, Internet, 10 Apr. 2021. Available: <https://www.washingtonpost.com/graphics/2020/elections/voter-turnout/>.

⁴⁴⁷ Domenico Montanaro, "Poll: Despite Record Turnout, 80 Million Americans Didn't Vote. Here's Why" *Morning Edition*. (NPR, 15 Dec. 2020), online, Internet, 26 Apr. 2021. Available: <https://www.npr.org/2020/12/15/945031391/poll-despite-record-turnout-80-million-americans-didnt-vote-heres-why>.

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