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Moral Principles of Local Officials and the Resolution of Culture War Issues

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Urban policymakers are well aware of—and, for the most part, agree with—the precept that governments should not legislate morality. Thus, they normally prefer to avoid or evade culture war issues. Culture wars sometimes break out among groups in American cities, however, and urban officials have little choice but to adjudicate such conflicts, ultimately casting their votes with one side or the other. Less frequently, urban officials are motivated to be much more active participants on one side or the other of culture war issues, sometimes initiating or instigating them.

Drawing on interviews with city council and school board members in twelve American cities, this chapter describes how these policymakers cast themselves into such roles in urban culture wars. It describes their normal hesitancy to engage culture war issues in such a way as to put their governments on the side of legislating morality, but it goes on to consider why and when officials enact the very social controls that they normally regard as inappropriate and ill-advised. Some of their constituents claim that there are important justifications for legislating morality; they believe that people's actions should be controlled so that they better conform to religious precepts, to universal ethical principles, and/or to dominant community values, and they believe that laws are required to prevent people from harming themselves, or harming others, or depriving others of their equal rights. Officials sometimes find such justifications convincing, and sometimes not. This chapter examines the views of urban officials about such justifications and indicates the kinds of issues for which regulation and control are considered most and least justified.

Because of the pivotal roles that urban officials play in conflict resolution, theories about culture wars must be able to explain and predict their roles in these highly visible events. In the interviews, urban officials suggest that the outcomes of culture wars are determined by the attitudes and actions (and inactions) of offi-

cials like themselves, and that these, in turn, are determined by their moral principles and their values. Thus, an important step in developing a theory about urban culture wars is to analyze these principles and values, accounting for their interrelationships and determinants.

AN EXAMINATION OF URBAN OFFICIALS

This chapter is based on a larger study of urban justice, in which 120 elected officials were interviewed between March and August 1993. Because of the obvious connections among justice, morality, and culture wars, these interviews provide an abundance of information about officials' attitudes and actions in local culture wars, but the findings are exploratory because the culture war phenomenon was not its primary focus.

The interviews were conducted in twelve cities: Atlanta, Georgia; Austin, Texas; Baltimore, Maryland; Green Bay, Wisconsin; Kansas City, Missouri; Minneapolis, Minnesota; Orlando, Florida; Pasadena, California; Providence, Rhode Island; Salt Lake City, Utah; San Jose, California; and Seattle, Washington. The cities are major urban centers—generally in the hundred thousand to million population range—and they were selected to try to capture the diversity of urban life in America. Beyond obvious regional variations, these cities differ greatly in their racial and ethnic composition—ranging from largely white communities (Green Bay and Salt Lake City) to cities that have strong black majorities (Baltimore and Atlanta), substantial Hispanic populations (Pasadena, San Jose, and Austin), or a large number of Asian Americans (Seattle). These cities have diverse cultures, as the individualist, moralistic, and traditionalist aspects of political cultures emphasized and assessed by Daniel Elazar (1984) are evident to various degrees in our sample cities.[1] Interviews were sought with about five or six city council members and another five or six school board members in each city. Persons who had served in these capacities since 1980 were randomly called and asked if they would be willing to participate in two-hour interviews focusing on how they thought about "fairness" and how they applied their ideas of fairness to urban policymaking. Depending on the availability of potential interviewees and the logistics of getting from one interview to another, ten to twelve interviews were scheduled in each city. Thus, the sample is composed of the first ten to twelve people in each city who agreed to the interviews.[2] The resulting sample was evenly split between members of the city council and the school board: fifty-nine persons had served on city councils, fifty-six had served on school boards, and five had served in both capacities. Ninety-four persons (78 percent) were white, twenty-one black, two Hispanic, and three Asian American. Women made up 47 percent of the sample. More participants identified themselves as liberals (31 percent) than as conservatives (23 percent), and many respondents preferred to give themselves other

labels, such as "moderates" (19 percent), "fiscal conservatives and social liberals" (13 percent), and "radicals" or "socialists" (8 percent).

Data concerning officials' attitudes and actions regarding culture wars were attained from three parts of the interview transcripts. To begin the interviews, officials were asked to tell at least one story about "issues, policy areas, or cases that arose while [they] were in office" that exemplified issues of "fairness" as they understood that term. Such stories were requested because stories provide rich research material reflective of human cognitive capacities (Schank, 1990) and because respondents are less likely to be influenced by the conceptual frameworks and perceived values of the researcher when they provide open-ended stories than when they respond to highly structured questions (Van Maanen, 1979). By telling stories about specific cases or issues, officials usually provide fairly accurate accounts of their own beliefs and activities regarding these issues, without distortions intended to make their attitudes and actions seem more socially acceptable. Respondents usually offered one or two stories at the beginning of the interview, although some told as many as five. Overall, officials told 221 stories during this portion of the interviews. Of these, 25 dealt with what can be regarded as culture war issues, addressing such matters as gambling, recreational drug use, smoking in public places, prayers in schools and at public meetings, abortions and access to family planning clinics, gay rights, regulating hate groups like the Ku Klux Klan (KKK), and promoting or restricting multiculturalism and bilingual education in public schools.

A second source of information regarding officials' attitudes and activities in culture war issues was the open-ended responses of officials to a probe at the end of the interview about their recurrent concerns while in public office and/or those things that others attributed to them as the central things they stood for while in office. Most officials provided comments that were irrelevant to culture wars (e.g., "I was an advocate for managed growth," or "I am an environmentalist"); however, at this point in the interview, twelve officials provided responses that situated themselves with respect to culture war issues. Six officials declared that they sought to curb discrimination: Some claimed to be advocates of civil rights generally, and some were advocates for equal rights for racial minorities and/or gays. Three officials declared that they stood for individual freedom and choice and that they opposed excessive governmental control in various social policy areas such as abortion. And three officials declared that they were spokespersons for multiculturalism. In short, no official claimed a core identity as an advocate for a particular morality or lifestyle. Insofar as officials perceived themselves as activists in culture war issues, they claimed to be advocates of nondiscrimination, freedom, and diversity—at least in this portion of the interview.

A third source of information regarding officials' attitudes and activities with respect to culture wars was their open-ended response to twenty-one principles of justice, presented to them during the middle of the interview. These

principles focused on different criteria and procedures for the just distribution of social goods (Schumaker and Kelly, 1994) and did not directly invite commentary or stories regarding culture war issues. However, officials frequently spoke about culture war issues when responding to principles regarding the relevance of the ascriptive traits, moral merit, and social contributions of individuals to just distributions. And officials occasionally spoke to culture war issues when providing applications of equal rights principles, utilitarian principles, and the importance of democratic procedures in resolving urban conflicts. Thus, some additional information about officials' roles in culture wars was attained from this portion of the interview.

When reviewing these three portions of the interview transcripts, some decision rule was required for determining which information was pertinent to culture wars and which concerned other kinds of issues. To capture the issues that concern the analysts of culture wars, the comments and stories were sorted using a simple but critical distinction: Was the respondent addressing the nature of the good (or "human virtue") or the distribution of goods (or "justice")? In Greek antiquity, the Roman Empire, and the Christian Commonwealth that dominated Western Civilization through the Middle Ages, it was generally thought possible to give some universal account of the good and virtuous life for all, and that political life involved promoting virtuous beliefs and behavior in all members of the political community. However, the ideal of a universal conception of human goodness and virtue has been assaulted in modern times. Perhaps Thomas Hobbes laid the foundation for this assault by claiming that each individual is the best judge of his or her own good. Subsequent liberal thought during the modern era in the West has increasingly addressed the issue of the just distribution of those goods that people desire as a means to better achieve a personally defined conception of the good life. This does not mean that modern politics is unconcerned with promoting virtuous behaviors or prohibiting certain actions. The existence of culture wars is evidence of this concern. But modern politics deals with two fairly distinct moral questions: What kinds of restrictions should be imposed by governments on the pursuit of the good life by self-regarding individuals? How should social goods be distributed? Although these questions are related (Galston, 1980), culture wars can best be conceptualized as addressing the first question. For present purposes, moral issues regarding the just distribution of goods have been set aside, and attention is focused on those stories and comments that officials provided in the interviews dealing with "good" or "virtuous" human behavior and the kinds of social policies that are required to promote such behavior and curtail "bad" or "sinful" acts.[3]

Thus, the data here come from compilations of all comments and stories told by the interviewed officials pertaining to moral concerns about enhancing human goodness through social control policies. These compilations provide the qualitative data presented below and were the basis for constructing several indices used for a series of quantitative analyses as well.

Although 120 officials were interviewed for the larger study, 27 provided insufficient commentary on culture war issues to be included in the present analyses. Thus, the sample size for describing and analyzing the distribution of support for legislating morality is 93. The number of officials commenting on various justifications for legislating morality is smaller than this, often considerably so.

COMPETING PRINCIPLES REGARDING THE LEGISLATION OF MORALITY

Table 11.1 summarizes the attitudes of urban officials about legislating morality. Most officials oppose social regulations. Overall, 30 percent of the officials offered unprompted but quite explicit expressions of this principle, such as the following.

Government should be neutral with regard to morality.
Morality is not the concern of governmental officials; moral values are individualized and we should not insist on imposing our values on others.
Officials should not side with one set of cultural values over another.
Public officials should not be involved in areas of morality except to be role models.

Although most officials simply declared their opposition to the regulation of morality, some offered rationales for that opposition. The most common rationales were that the regulation of morality required officials "to make subjective value judgments"; that dealing with social regulation "diverts attention from more important issues"; that such policies are normally "ineffective at changing the offensive behavior"; and that such issues were highly conflictual, "tearing the city apart" and igniting political opposition against them. The most amusing rationale was offered by a member of the school board in Providence: "You can't legislate morality. Most public officials are devoid of morality, so to judge it or to engender it in others is something that is way over their heads."

Table 11.1. Support for Legislating Morality among City Council and School Board Members

	All officials (n = 93)	City Council (n = 51)	School Board (n = 42)
Explicit opposition	30%	35%	24%
Implied opposition	33	37	28
Mixed statements	16	10	24
Implied support	13	12	14
Explicit support	8	6	10

Another 33 percent of urban officials implied through examples and other commentary their reluctance to regulate morality, though they failed to specify such a principle. For example, several city council members in San Jose cited their opposition to Operation Rescue, which sought to block access to abortion clinics; and school board members in most cities advocated more multicultural curricula that taught students to appreciate value systems other than their own. Officials also implied their opposition to social regulations when they discussed their growing appreciation for cultural differences within the community and their need to look beyond their own value systems and the dominant values in their community when resolving community conflict. None of the 63 percent of the officials who have been coded as explicit or implied opponents of legislating morality spoke positively about particular social regulations or expressed sympathy for various justifications for exercising social control over individual choices, except to ensure civil rights.[4]

Sixteen percent of the interviewed officials provided mixed statements about legislating morality. For example, one official claimed at one point in the interview that officials should "live and let live with regard to moral values," but later she claimed that "government should play a greater role than it does in promoting virtue." As another example, a council member in Atlanta claimed that he was both a staunch opponent of gay rights and a strong advocate of the right of women to have abortions. Such commentary may be ideologically inconsistent, but it is not thereby unprincipled. Such mixed statements illustrate that officials often hold a variety of principles and values concerning culture war issues. Sometimes officials understand that these principles are inconsistent, expressing conflicting but valid ethical ideals. For example, a council woman in Pasadena wrestled with the question of no-smoking ordinances. On the one hand, her commitment to "free choice" principles made her reluctant to support a ban on smoking in restaurants. On the other hand, her belief that it was appropriate for public officials to regulate behavior that is harmful to others prompted her support for the ban. In this and a number of other similar cases, a "culture war" took place *within* the official, as well as between competing groups. When officials hold cross-cutting principles, they are, of course, likely to search for compromise solutions, such as having designated smoking and nonsmoking areas.[5]

At other times, officials understand that their principles are inconsistent at an abstract level, but such inconsistencies vanish when faced with concrete issues. The official who opposed gay rights and supported abortion rights saw no inconsistency in his positions. In the first case, the need of officials to support traditional values and marital structures outweighed their commitment to individual freedom. In the second case, legally sanctioned privacy rights outweigh ethical objections to abortion.

Twenty-one percent of our officials indicated, either explicitly or implicitly, their belief that governments should promote certain moral positions and values and control human behavior that is at odds with these values. Most of these indi-

cations were implicit, as officials expressed their support of policies to curb particular behaviors. For example, one council woman from Minneapolis supported initiatives to curb youth gangs, because "gangs have destructive moral codes." Another official there supported efforts to make it more difficult for parents to get divorced because he believed that intact family structures were important agents of moral instruction for children. Only 8 percent of officials expressed a principle claiming that it was indeed proper for government to legislate morality. Statements to this effect—such as "governments and public schools should curb the immorality of some people"; "public officials should focus on the commonalties in values among people, not their differences, and they should promote these commonalties"; and "our policies and programs need to reflect the dominant moral values of people in this community"—were somewhat more evident among school board members than city council members. Perhaps school board members are more supportive of legislating morality than city council members because they perceive schools as places of moral instruction and because they believe the young are more appropriate targets of moral guidance by public institutions than are adults whose capacities for autonomous moral judgment are presumed to be more fully developed.

Although urban officials are generally reluctant to legislate morality, a number of justifications for imposing social controls on individual choices were often offered in the interviews, sometimes by "social libertarians" who normally oppose such controls. These justifications are themselves various types of moral principles, as they declare that certain virtues should be promoted by local governments and certain vices should be discouraged and/or punished. Table 11.2 lists these principles, and indicates the number of officials who, in their unprompted comments, expressed support or opposition. Table 11.2 also indicates in parentheses the number of officials who expressly indicated that they were highly active in specific culture war issues in which these principles were at stake. Table 11.3

Table 11.2. Response to Justifications for Legislating Morality

	Support	Oppose
Promote moral standards of religion	6	19 (1)
Promote virtues revealed by natural law	16	3
Promote conformity to public opinion	16 (2)	48
Pursue values as determined by the democratic will	2	2
Protect people from self-inflicted harm (paternalism)	6	8
Control behavior for utilitarian purposes	8 (1)	2
Prevent harm to others	10 (2)	0
Ensure equal rights	22 (5)	3
Protect legal rights	12	3

Note: Numbers indicate officials who commented on justifications for legislating morality in such a way as to show either opposition or support.

   Numbers in parentheses indicate the number of officials who actively supported or opposed policies in which these justifications were invoked.

lists the kinds of culture war issues that were discussed as applications of these principles; it also indicates the number of officials who supported and opposed various social controls on these issues.

Religion

The sacred texts of Jews, Christians, and Muslims contain numerous prohibitions on individual freedoms, and religious leaders and church doctrine provide additional moral strictures giving citizens and officials firm beliefs about human virtues and vices. Occasionally, urban officials hope to further their religious convictions by supporting policies consistent with them. One school board member asserted that "God forbids contraception and abortion," and she concluded that sex education classes must therefore avoid any endorsement of "safe sex," and abortions must be prohibited. Another official voted for the removal from public and school libraries of books that Christian conservatives regarded as sacrilegious. Somewhat more frequently, urban officials simply supported policies to facilitate the capacity of various religions to influence moral and spiritual life. They asserted that schools should permit silent or nondenominational prayers and that religious organizations should be allowed access to public buildings. One official claimed that various religious symbols can be displayed in public places, at least as long as other religions have equal opportunities to display their symbols and express their convictions.

Nevertheless, officials are much more opposed to regulating morality on the basis of religion than they are supportive of it. Most opponents simply asserted the principle of maintaining a wall between state and church. Those who called for such a separation do not necessarily believe that the moralities of the churches are unimportant, but they claimed that various religious communities (not the broader political community) should promote religiously defined virtues and restrict religiously defined vices. However, some officials questioned the moralities of the church. For example, one official in Providence claimed that "a noble Catholic Priest led the opposition against a gay rights ordinance, prompting me to articulate what I thought about the separation of church and state doctrine." Even in communities dominated by one religion, there was little sentiment for legislating morality on the basis of religious authority. Several officials in Salt Lake City expressed pride in their state having an especially strong constitutional prohibition against Mormon interference in state affairs, and they claimed "it would be wrong to use the moral criteria of the Mormon Church as a basis for public policy." Some officials in Green Bay agreed that "Catholic norms should not govern Green Bay." In short, culture wars are sometimes ignited by those who believe public policies should reflect religious convictions or should promote religious virtues, but urban officials are unlikely to instigate such wars. When they must adjudicate such conflicts, they are generally predisposed to avoid favoring a particularly religious viewpoint through public policy.

Table 11.3. Response of Urban Officials to Social Issues

	Support	Oppose
Promote moral standards of religion		
Prohibit abortion	1	6
Limit sex education	1	6
Remove sacrilegious books from libraries	1	4
Permit prayers in schools or at public meetings	3	2
Provide religious groups access to public building	1	1
Permit religious symbols on public property	1	0
Limit gay rights	1	20
Promote virtues revealed by natural law		
Teach "fundamental" virtues in school	14	3
Penalize unethical conduct in school (e.g., plagiarism)	5	0
Promote conformity to public opinion		
Prohibit suggestive and obscene dress in school	3	1
Limit or regulate pornography	1	3
Prohibit prostitution	0	2
Emphasize abstinence in sex education classes	2	6
Limit gay rights	2	20
Establish "English only" policies	4	6
Limit bilingual education	3	12
Limit multicultural curriculum	4	12
Pursue values as determined by the democratic will		
Establish school dress codes	1	0
Extend aid to refugees	1	0
Prohibit abortions	0	6
Limit gay rights	0	20
Protect people from self-inflicted harm (paternalism)		
Prohibit or control gambling	0	3
Discourage teenage gangs	4	0
Prohibit use of recreational drugs	2	0
Use bilingual education to teach English	9	12
Control behavior for utilitarian purposes		
Limit access to abortion clinics	0	1
Limit gay rights	0	1
Ban gang colors in schools	1	0
Prohibit weapons in schools	3	0
Require student community service	1	0
Control cigarette smoking	2	0
Limit sale of pornography	1	0
Prevent harm to others		
Control domestic violence	2	0
Limit divorce	2	0
Prohibit medicinal use of marijuana	0	1
Prohibit abortions	0	3
Ensure equal rights		
Enforce civil rights laws protecting minorities from discrimination	4	0
Enact gay rights ordinance	20	2
Extend employee benefits to all domestic partners	3	2
Protect legal rights		
Uphold free speech rights of "hate groups"	3	0
Uphold free speech of students in school newspapers and graduation speeches	3	0
Permit antiabortion protests and blockades	3	1
Permit abortion	3	0
Permit Native-American casinos	2	0
Permit Native-Americans to spear fish	1	0

Note: Numbers indicate the number of officials who supported the policy on the basis of the indicated principle, and who opposed the policy because they rejected the principle or because they invoked other principles on the issue.

Natural Law

A second justification that is sometimes presented for legislating morality is that behavior should conform to certain universal ethical principles. The concept of natural law—the idea that there are generally recognized principles of right conduct that can be understood through rational contemplation of the requirements of natural forces and processes—is one of the oldest and most common expressions of this belief. Although allegiance to the concept of natural law is less prominent in contemporary American society than among the Stoics of ancient Greece and Rome, scholars as diverse as Mortimer Adler (1981) and James Q. Wilson (1994) maintain that there are certain moral sentiments that are universal, natural, and subject to rational agreement. Many urban officials agree. According to a council member from Pasadena, "There are some objective standards, defined by ethical philosophy, that officials must take into account when they pursue and distribute values." Although this official did not specify these standards, he maintained that they may be different from existing values in the community. Rather than articulate a natural law principle, other officials specified various human virtues and vices that they regard as universal and self-evident truths. Among the virtues that officials claimed they should promote are: respecting authority and obeying the law, being considerate of and caring toward others, being good teammates and showing good sportsmanship, respecting and taking care of property, resolving differences peacefully and with civility, coming to the aid of those in distress and need, and being a productive and dependable worker. For the most part, the officials specifying such virtues were school board members, and they held that public schools should be engaged in more than "value clarification" (being aware of the values behind one's moral choices and respecting the choices of others that emphasize different values than one's own). They generally agreed that schools "should only discuss but not advocate certain value choices—such as going to church and abstaining from alcohol," but they usually maintained that schools should unabashedly teach "the fundamentals," the kind of virtues promoted by William Bennett (1993) in his *Book of Virtues*. Beyond having instructors who teach and model these virtues, school board members offered no public policies to reward virtue, but they thought that policies had to be adopted to punish certain vices. Lying, stealing, cheating (including plagiarism), and being disruptive should be punished. Several officials noted that hearings involving the suspension and expulsion of students for such offenses were a distasteful part of their job, but none questioned the propriety of punishing certain behaviors that violated what they regarded as universal ethical standards.

As shown in Table 11.2, only three officials denied the possibility of any universal ethical principles. Illustrative of such moral skepticism were the comments of a school board member in Seattle: "The Board went back and forth on teaching morality. Whenever someone proposed that we should teach morality, the debate would end when someone asked 'Whose morality?' Even the Golden

Rule is controversial. There is no moral consensus in Seattle and 'teaching morality' only makes sense in situations of consensus."

In summary, urban officials often believe that there are certain *basic* universal ethical principles that should be reflected in policy. Promoting virtue and controlling vice is much more acceptable when these virtues and vices are based on natural law rather than divine law, perhaps because the virtues identified by natural law are more basic and less controversial than those identified by religious authorities. Nevertheless, culture wars do break out over the promotion of such basic virtues as respecting authority, being considerate of others, and working hard—not because there are outspoken opponents of these particular virtues but because some people believe that there is no scientific or logical defense of them. Opponents of legislating morality believe that officials are subjectively imposing their own values, and this, ironically, is morally wrong.

Public Opinion

A third justification for legislating morality discussed by urban officials is that dominant community values, or public opinion, must be respected. Unlike persons who believe that legislative controls should reflect divine and natural laws, persons expressing this principle accept that values are indeed subjective and that there is no scientific or logical basis for certain values. But they agree with David Hume, Edmund Burke, and other traditional conservatives that a widespread consensus on moral sentiments is helpful and perhaps essential for achieving the social cohesion that makes communities stable and prosperous. Some contemporary communitarians like Alisdair MacIntyre (1981) maintain that people require some shared conception of human virtue and goodness, and that this is best found in the traditional moral values that prevail in particular communities and give the inhabitants of these communities a historical and social identity. Given the importance of traditional values for social cohesion and personal identity, the conclusion that governments ought to create laws and policies reflecting dominant community values is easily reached.

A significant number of urban officials in our sample ($n = 16$) expressed such sentiments. They claimed that there are—and should be—communitywide moral standards that must be transmitted from one generation to the next and that should be respected in policymaking. Officials applied this idea to establish dress codes in schools (such as prohibiting obscene T-shirts), to limit and regulate pornography and prostitution, to emphasize abstinence in sex education programs, and to oppose gay rights ordinances. Although obscenity and sexual issues were the most common applications of the need to control behavior so that it conforms to dominant community values, the movement toward "Official English" laws has also sparked culture wars because of a felt need to ensure communitywide commonalities (King, 1997). Four officials volunteered their strong opposition to accommodations of non-English speakers. Declaring that "people who enjoy the privilege

of living in America should speak its dominant language" and ridiculing provisions that allow Latinos to take citizenship oaths in Spanish, such officials believe a common language is a minimal requirement for social cohesion.

However, by a three-to-one margin, the officials in our sample reject the principle that citizens should be required to conform to dominant community values. Many officials simply rejected the existence of such values: Their communities were too diverse socially and morally for any communitywide consensus to exist or for any single set of traditional values to be identified. Other officials thought that dominant community values could be identified but that they were poor guides to human virtue. According to one official in Atlanta, "Homophobia is a dominant value here, but that doesn't make it right, nor does it give us the right to fence off gays." In general, dominant community values were seen as often repressive of individual rights, as John Stuart Mill argued in *On Liberty*. Still other officials opposed social controls based on dominant community values because they (like Mill) found possibilities for moral and social progress in diversity. For them, moral pluralism is not a problem that must be tolerated because of a concern for individual rights; it is an opportunity for people to enlarge their understanding of human virtue and thus to acquire new skills and capacities that reflect the value systems of minorities within their communities.

When reacting to the idea of requiring conformity to dominant community values, many officials (especially school board members) mentioned and supported multicultural curricula. Normally, such officials denied the argument that multicultural curricula involved legislating morality by requiring consideration of specific cultural values. Instead, they viewed multiculturalism as efforts to dismantle the existing and implicit social controls that occur when only the accomplishments and values in the dominant culture are discussed, endorsed, and celebrated. In general, urban officials agree with the assertion of Will Kymlicka (1995:121) that "the value of diversity within a culture is that it creates more options for each individual, and expands her range of choices." In general, culture wars over multiculturalism were not over the inclusion of non-Western culture and history; even their opponents conceded the merit of such inclusion. Instead, those whose principles stressed dominant community values called for multicultural inclusion only after the essentials of Western civilization had been covered. For them, values outside of the dominant culture could be tolerated, but only if the values within the dominant culture were more strongly promoted and reinforced.

Democratic Will

A fourth closely related justification for exercising social control over individual choice is the need to respect and conform to the democratic will.[6] Populist conceptions of democracy maintain that democratic procedures—and especially the majority rule often used by democracies—are effective and fair methods of resolving moral differences and thus culture wars. In this view, politics is inevita-

bly concerned with value conflicts. When two sides of a conflict cannot compromise their differences—as illustrated by the pro-life and pro-choice debate on the abortion issue—what could be more fair than to put the issue to a vote? Democracy, it is said, is the most neutral and peaceful method yet devised for resolving such conflicts (Hayek, 1960), and stronger forms of democracy, like holding referenda on such issues, have the additional merit of being egalitarian; everyone's values count equally in determining whose values will be reflected in policy (Cronin, 1989).

Only four of our officials spoke to the democratic-will justification, and they were split in their judgment of it.[7] Its two proponents saw majority rule as a useful method for resolving relatively inconsequential social regulation issues. One issue involved whether to oppose a dress code in a particular school. The parents were divided on the issue, and the official was willing to resolve it by polling parents, and letting the majority rule. The second issue involved whether Austin should give sanctuary to refugees from El Salvador (in opposition to the U.S. Immigration Service's opposition to such programs). In this case, a large majority of the activists on the issue favored giving sanctuary, and the official viewed such support as a decisive expression of the democratic will on the issue. Neither of these issues involved large numbers of people, implicated the core values of the people involved, or threatened fundamental rights. In these circumstances, officials were willing to let democratic majorities resolve issues that were culture skirmishes, but hardly culture wars. However, the two opponents of imposing social controls in the name of the democratic will viewed this principle as inviting Tocqueville's "tyranny of the majority," and they argued that democracy involved protecting minority rights against majority rule (Dahl, 1956). They were unwilling to let the majority will trample over the rights of women to "control their own bodies" on the abortion issue or the rights of homosexuals to be free of discrimination in the areas of employment and housing. On such high-stakes issues, officials may be less likely to support social controls that limit what they regard as fundamental rights in order to conform to the will of the majority.

Paternalism

A fifth justification for legislating morality discussed by urban officials is that individuals require certain controls over their behavior for their own good, "that state coercion (is necessary) to protect individuals from self-inflicted harm" (Feinberg, 1983). Defenses of paternalism are at least as ancient as Aristotelian ethics. According to Aristotle, the real or rational desire of everyone is to develop and exhibit the virtues and goodness of a truly excellent human. Thus, humans really want controls over their irrational desires, desires whose fulfillment would negate their striving for perfection.

The officials interviewed for the urban justice project were slightly more critical than supportive of paternalism. Eight officials doubted their own ability, or

the ability of any governing body, to know the real good of their constituents, or they doubted that all constituents shared any conception of the good. For them, "What I think is good for someone may be far different than what that person thinks is good for himself." On several occasions, gambling was offered as an illustration of people taking risks that they could ill afford and being hurt by their choices, but officials claimed that it was "too paternalistic to prohibit gambling." However, six officials supported paternalism in certain instances. Joining gangs and taking drugs were provided as examples of poor choices that youths make, and because youths lacked the maturity and understanding to make competent choices, laws and programs were required to steer the young away from self-destructive acts. Bilingual education was sometimes opposed for similar reasons. Hispanic and Asian youths may prefer to be educated in their native language or the language spoken in their homes, but some officials saw bilingual programs as being harmful in the long run. According to one school board member, "For their good, in order to succeed in this society, it is important to get kids to be effective English speakers as quickly as possible. Bilingual programs should not have respect for ethnicity as their goal; their goal should be to teach English as quickly as possible; they should facilitate assimilation, not ethnic separation." Because the targets of paternalistic policies are often socially disadvantaged, the impulse to help these targets with programs that will be good for them is strong with well-intentioned officials who are committed to social justice, but culture wars break out over these programs when their liberal friends are more strongly committed to the claim of Mill (1978:9) that the good of the individual "is not sufficient warrant" to justify state coercion over individual choices.[8]

Utilitarianism

For many modern political theorists, the utilitarian principle of enacting social controls to promote the greater good of the community is more compelling than paternalism, dominant community values, and the democratic will as a justification for restricting individual choice. While paternalism assumes that individuals misunderstand their own good, while community values can be prejudicial, superstitious, and uninformed in other ways, and while the democratic will can aggregate illegitimate preferences, utilitarianism provides a straightforward method for resolving moral conflicts and culture wars in a rational way (Kymlicka, 1990:35–44). Utilitarianism simply requires officials to look to the consequences of proposed legislation and determine whether these consequences impose more benefit than harm when the real interests of everyone in the community are given equal weight.

As shown in Table 11.2, few officials in our sample spoke explicitly against utilitarianism as an appropriate principle for legislating morality,[9] but those that did felt it is wrong for public officials to adopt policies that provide the greatest good for most citizens but significantly hurt others. Urban officials who opposed

utilitarianism implicitly agreed with Rawls (1971:22–27) that utilitarianism can justify laws that infringe on the fundamental rights and interests of individuals.

For the most part, when officials invoked utilitarianism, they did so positively, but in ways that did not come down consistently on one side or the other of culture war issues. Sometimes utilitarian considerations led officials to side against those who sought to establish greater social control. For example, one official in San Jose said he strongly opposed the efforts of Operation Rescue to limit access to abortion; not only did such efforts have harmful effects on women seeking abortion services that outweighed the benefits sought by Operation Rescue activists, but policing their protests cost taxpayers over $1.5 million. More generally, several officials noted that legislating morality had significant costs for cities—such as making their communities targets of economic boycotts by those who opposed their policies and distracting officials from other more pressing problems—and these costs more than offset any benefits that accrued from the social controls they might establish.

On most occasions, utilitarian considerations justified certain controls. School officials claimed that the overall welfare of their students and teachers prompted them to ban gang members from showing and wearing their colors in school and to prohibit students from carrying weapons into school. One school official praised a law that had been passed by the state of Maryland imposing a community service requirement on all citizens; in his judgment, such a regulation would not only develop the moral character of students, but it would generate a lot of energy for alleviating a host of social problems. Some city council members also turned to utilitarian analysis for resolving culture war issues. According to a council woman in Pasadena, "utilitarianism is the only way to adjudicate the rights of smokers and nonsmokers. As a cancer victim, I see the benefits of protecting people from passive smoke as being decisive." And a council member from Orlando used utilitarian reasoning to deal with the issue of adult video stores. In her judgment, any effort to ban pornography would have little impact, but zoning laws could regulate the location of such outlets in ways that were minimally disruptive and could reduce the exposure of youths to these objectionable materials. In short, officials sometimes find utilitarian justifications sufficient for them to support certain social policies that legislate morality, but they do so cautiously, attending to whether utilitarian justifications lead to policies that harm others or deprive them of their fundamental rights.

Preventing Harm to Others

Imposing social controls to prevent harm to others is a justification that few have opposed. In ancient times, Stoics like Cicero regarded the injunction not to harm others as a natural law, and they believed that state laws should reflect the natural law. In modern times, Mill (1978:13) reflected widely accepted liberal principles when he proclaimed that "the only purpose for which power can be rightfully

exercised over any member of a civilized community, against his will, is to prevent harm to others." The contemporary principle of nonviolence overlaps strongly with this notion.

Not surprisingly, several officials explicitly expressed the no-harm principle. According to one official, "Where moral values are concerned, the most we can do is to let people have their own beliefs and live their lives as they choose, as long as they don't interfere with others." Somewhat less liberally, another proclaimed, "People can't just do their own thing, especially when it harms others." No official claimed that harmful acts should be uncontrolled, although the many advocates of abortion rights in our study presumably either regarded aborted fetuses as not-yet-living beings whose harm was subject to the principle, or they thought that the no-harm principle could be outweighed by the privacy rights of women. For most officials, the no-harm principle simply justifies criminal laws, and some indicated that they support ensuring that criminal laws extend to protection against domestic violence. Occasionally, officials invoked the no-harm principle as a justification to return to traditional social controls that had become liberalized in recent years. For example, one official called for an end to no-fault divorces, because of "the harmful effects of easy divorce on the children of divorcing parents" (see Whitehead, 1997). Interestingly, the no-harm principle was sometimes invoked as a justification *against* social control. For example, efforts to limit medicinal uses of marijuana were opposed by one official because such controls were thought to cause unnecessary harm to cancer and AIDS patients who benefited from its availability. As another example, several officials thought that prohibitions against abortion resulted in significant psychological harms and physical risks for the women involved. Thus, despite the widespread appeal of the no-harm principle, it is not a principle that always prompts officials to side with those who would legislate morality.

Equal Rights

Another justification for legislating morality is the equal rights principle. The chief defining characteristic of a "right" today is its universal provision to everyone regardless of their income (i.e., ability to purchase the right), social class, race, gender, or other such defining quality (Rawls, 1971; Okun, 1975). Although conflicts over welfare rights are ubiquitous in politics, they are not culture wars. The rights that are relevant to culture wars deal not with the distribution of goods that people desire to live the good life—like money and commodities, education, office, and power—but with the right to pursue one's own conception of the good life. They include rights to think freely about the requirements of the good life and the good community, to advocate and oppose alternative conceptions of the good life and the good community through various modes of social and political action, and to live according to one's chosen lifestyle, as long as one's actions do not harm others. To declare these as equal rights is to say that they ought to be

provided universally to all, and to provide them as rights is to prohibit restricting access to them by any group. Culture wars involving equal rights are normally concerned with the inclusion of previously excluded groups to these universal provisions, or with excluding some groups from these provisions, denying that everyone is universally entitled to them and thereby denying their status as universal and equal rights.

As shown in Table 11.2, urban officials often invoked equal rights principles when resolving culture war issues. Most frequently, the equal rights principle was used as the basis for initiating and supporting efforts to end discrimination against minorities and gays. By ensuring that civil rights laws are fully enforced, several officials sought to control discriminatory practices by realtors, bankers, and others; although it might be rational for such actors to discriminate against particular categories of people to protect and pursue their private interests (D'Souza, 1995), most urban officials believed that the social controls on the freedom to discriminate that are provided by civil rights laws are essential to protect the rights of minorities. By enacting gay rights ordinances forbidding employers from discriminating against people on the basis of their sexual orientation, and by pursuing domestic partnership laws extending benefits to the partners of homosexual municipal employees, officials sought to extend to gays the right to pursue their preferred lifestyle. Although our officials seldom reported initiating culture war issues or being entrepreneurs in them, they were most likely to move into these more active roles on such civil rights issues, and they reported that the reason for such activism was their own belief that fundamental rights that existed for other members of the community were being illegitimately denied minorities and gays. Thus, the equal rights principle is not only a powerful idea that prompts officials to side with those who would control discriminatory behavior, but it sometimes prompts officials to become more active participants in culture wars than is normally the case.

Legal Rights

Another kind of rights principle is also commonly invoked on culture war issues, the legal rights principle. Whereas the equal rights principle is used to *support* social control of discriminatory behavior, the legal rights principle is used to *oppose* social control of groups whose actions are thought to be immoral by some but which are nevertheless protected by constitutional provisions, by judicial interpretations of constitutional rights, by statutory and common law, and by prior agreements. The equal rights discussed above are the abstract rights sought by liberals, but legal rights are the specific real rights emphasized by Burke and other conservatives. Although equal rights are granted universally to all, legal rights can be granted universally to all, or they can apply only to designated groups of people.

The legal rights principle was less frequently discussed by urban officials than the equal rights principle, but several officials invoked it to *oppose* efforts to control behavior. Four examples recurred in our interviews. First, three officials in

Kansas City and Austin recalled dealing with the KKK and the issue of hate speech, and each reported supporting the right of the KKK to have a forum to express its views. For them, the First Amendment of the U.S. Constitution granted this right of free speech to all citizens, including members of the KKK. Efforts by victims of racism to control the free speech of the KKK had to be resisted, even if this meant opposing that side of the culture war with virtue on its side. Second, another three officials recalled dealing with issues of free speech in schools. In each case, administrators sought to censure student articles in school newspapers or speeches by valedictorians at commencement exercises, but the school board members reported interceding on behalf of a student's constitutional right to free speech. Third, almost a dozen officials spoke about efforts of pro-life groups to thwart access to abortion clinics, and each opposed these efforts to impose social control. When resolving this issue, these officials seemed to care less about which side had the greater claim to virtue than they cared about the legal rights of each side. They seemed to agree that the Supreme Court had established women's right to abortions in the *Roe v. Wade* decision. They also agreed that members of Operation Rescue and other pro-life groups had constitutional rights to speak, assemble, and otherwise oppose abortion. For the most part, they sought to protect both rights in this culture war through such compromises as requiring the pro-life groups to stay a certain distance from the clinics and forbidding them from harassing abortion clinic personnel in the privacy of their own homes. Fourth, three officials in Green Bay reported dealing with issues involving the rights of Native Americans to spear fish and to run casinos. Although concerns about their "unsportsman methods and catches" and qualms about the virtues of gambling prompted some groups to mobilize against these activities, each official supported these legal rights that were provided to Native Americans in treaties signed years ago. In each of these kinds of culture wars, the legal rights of the groups who were targets of social controls coincided with officials' predisposition to avoid making moral judgments, and thus the freedoms permitted by law remained intact.

In sum, the stories and comments of urban officials who are often called on to resolve local culture wars suggest that they bring a variety of principles about the resolution of these conflicts to bear on them, and that conflicts are resolved in a manner that reflects the principles most strongly held by officials. An adequate theory of local culture wars must therefore be able to predict and explain the principles that particular kinds of officials hold and are likely to apply to particular kinds of cases.

PRELIMINARY FINDINGS AND FUTURE RESEARCH

Drawing on previous theory and research, what factors are expected to influence the moral principles that officials hold and apply to culture war issues? Because public opinion surveys show that there are often significant racial, gender, and

class differences in support for school prayer, controls on pornography, and abortion rights (see e.g., Tatalovich and Daynes, 1988), it is expected that such personal characteristics of urban officials will influence their principles regarding culture war issues. If black elites increasingly identify cultural decay and value nihilism as causes of minority suffering in inner cities (see, e.g., West, 1993), black urban officials might be more supportive of various justifications for legislating morality than their white counterparts. If men are more inclined than women to view rules and laws as appropriate instruments for dealing with moral questions (Gilligan, 1982), male officials may be more willing than women to legislate morality. If formal education promotes tolerance of values and moral positions other than one's own (Davis, 1975; but see also Sullivan et al., 1979), highly educated officials may be less willing to legislate morality than are less educated ones. However, there are no compelling reasons for believing that such effects will be strong, because other studies indicate that the warring parties in these conflicts are often composed of strange bedfellows, as when radical feminists joined forces with conservative men to fight pornography in Minneapolis and Indianapolis (Downs, 1989).

The personal characteristic that should best predict the social control principles of urban officials is their (self-defined) ideology. If a willingness to use governmental authority to "re-moralize" society is central to contemporary conservatism but anathema to contemporary liberalism (Krauthammer, 1995), officials who call themselves conservative should be more supportive of legislating morality than self-defined liberal officials. However, the strength of this relationship is unclear, as ideological orientations may better situate officials on distributional (justice) issues than on morality ones (Reeher, 1996).

Various factors in the urban context may also be related, albeit weakly, to the willingness of officials to legislate morality. Big cities may contain the social pluralism that makes agreement on moral questions difficult (Wirth, 1964), reducing support for legislating morality in larger cities. Citizens in more affluent cities may be less preoccupied with issues of economic production and distribution and more concerned with achieving the good life, defined in less material terms (Inglehart, 1990), prompting officials in such cities to be relatively supportive of various justifications for legislating morality. The presence of city management may reduce support for legislating morality, because conflict over social issues and efforts to legislate morality may be seen as undermining the proper function of city government, which is the efficient delivery of city services (Childs, 1955:402).

Such theoretical expectations are plausible, but hardly compelling, reasons for supposing that the urban context influences officials' support for legislating morality. The contextual variable that should be most important in this regard is political culture. One would expect, for example, that officials residing in what Daniel Elazar (1984) calls *individualistic* (I) cultures would be strongly opposed to the social controls that are imposed when officials legislate morality. One would

expect that persons living in *moralistic* (M) cultures would be relatively supportive of legislating morality and some of the principles used to justify such controls. One would also expect that persons living in *traditionalist* (T) cultures would be particularly supportive of the idea that it is important for citizens to conform to dominant community values.

To examine these hypotheses, measures of our dependent variables—officials' support for legislating morality in general and for various justifications for social control—were attained for those officials who volunteered stories and comments on culture war issues in this study. The measure of support for legislating morality is the five-point ordinal scale presented in Table 11.1. Support for the various justifications for exercising social control was assessed using a four-point scale: (1) actively oppose imposing social controls on the basis of the principle; (2) oppose controls; (3) support controls; and (4) actively support controls. Officials who failed to comment on these principles and justifications were, of course, coded as missing data. These measures of support for various social control principles were related to measures of officials' personal characteristics and to the contexts in which they reside.[10] As can be seen in Tables 11.1 and 11.2, the sample sizes for analyses of some of the justifications are very small.[11] Because of the small and non-random samples, the results provided in Tables 11.4 and 11.5 must be considered exploratory, but they serve the heuristic purpose of providing initial support for the following hypotheses:

- Minority officials may be more willing to legislate morality than white officials. Such a willingness may be due to blacks' greater receptivity to religious justifications and equal rights concerns.
- Men and women may not differ in their overall willingness to legislate morality, but male officials may be relatively receptive to natural law justifications for imposing social controls, whereas female officials may be relatively receptive to utilitarian justifications.
- The overall willingness of officials to legislate morality may be little affected by the amount of formal education officials have. However, equal rights justifications may be most supported by highly educated officials, whereas religious justifications may be more supported by less well-educated officials.
- Liberal officials may be somewhat more opposed to legislating morality than conservative ones. Conservatives are likely to be most receptive to establishing social controls on the basis of universal ethical principles (natural law), whereas liberals are likely to be most supportive of establishing social controls to realize their equal rights principles.
- City size should not be expected to have an impact on officials' overall willingness to legislate morality. But officials in smaller cities may be relatively receptive to utilitarian arguments for establishing social controls, whereas officials in larger cities may be relatively receptive to preserving the legal rights of individuals in local culture wars.

Table 11.4. Correlates of Officials' Support for Various Principles Applied to Culture War Issues

	Legislate Morals	Religion	Natural Law	Public Opinion	Paternalism	Utilitarian	Prevent Harm	Equal Rights	Legal Rights
City official									
Minority	.17	.31	-.13	.06	-.10	-.14	.00	.31	.08
Female	-.10	-.02	-.29	-.08	-.12	.48	.00	-.05	-.10
Education (years)	.11	-.33	.26	-.25*	.28	.20	.24	.38	.17
Liberal ideology[a]	-.28*	-.21	-.55*	-.30	.01	-.43	.01	.26	-.05
City									
Population[b]	-.01	-.11	-.20	.14	-.16	-.57	-.54	.03	-.25
Median income	-.01	-.10	-.23	-.10	.00	.60	.21	-.28	-.16
City manager[c]	.05	-.03	.33	-.03	-.05	.38	.77*	-.38	-.37

[a] Respondents' self-defined ideologies were coded on a five-point scale: (1) strongly conservative; (2) weakly conservative; (3) middle-of-the-road responses such as "moderate" and "pragmatist"; (4) weakly liberal (including "fiscal conservative and social liberal"); and (5) strongly liberal, progressive, socialist, and radical.

[b] The measures of population size and median income are from the 1990 census as reported in *1993 County and City Extra*.

[c] This dummy variable was taken from the *1993 Municipal Yearbook* (1993).

* $p \leq .05$ level.

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Table 11.5. Comparison of Urban Cultural Characteristics with Justifications for Legislating Morality

	Political Culture	Mean Support for Legislating Morality	Justifications	
			Weak Support	Strong Support
Atlanta, Ga.	TI	2.75	Paternalism	Utilitarianism
Austin, Tex.	IT	3.00	Equal rights	Public opinion
Baltimore, Md.	I	2.40	Public opinion	Equal rights
Green Bay, Wisc.	M	2.12	Religion	Legal rights
Kansas City, Mo.	IT	2.25	Public opinion	Prevent harm
Minneapolis, Minn.	M	2.67	Religion	Legal rights
Orlando, Fla.	T	2.25	Paternalism	Utilitarianism
Pasadena, Calif.	TI	2.50	Religion	Utilitarianism
Providence, R.I.	IM	2.00	Public opinion	Equal rights
Salt Lake City, Utah	M	2.28	Public opinion	Legal rights
San Jose, Calif.	M	2.00	Paternalism	Natural law
Seattle, Wash.	MI	2.00	Natural law	Equal rights

- Community wealth may have no impact on officials' overall willingness to legislate morality, but officials in wealthy communities may be relatively supportive of utilitarian justifications for legislating morality, whereas officials in poorer communities may be relatively supportive of equal rights principles.
- Professional city management may have no impact on officials' overall willingness to legislate morality, but officials living in cities with city managers are more likely than officials living in unreformed cities to believe that no-harm principles justify imposing social controls, and they are less likely to believe that equal and legal rights principles justify imposing such controls.

In order to examine the impacts of political culture, the subcultures of the twelve cities in our sample were assessed using the map provided by Elazar (1984). The results are reported in Table 11.5. When the cultural characteristics of the cities in which they reside were attributed to city officials and these cultural attributes were related to the principles of officials, a few predictable and theoretically satisfying relationships were evident.[12] Officials in more individualistic cultures were significantly opposed to paternalistic principles ($r = -.46$). Officials in more traditional cultures were significantly opposed to equal rights principles ($r = -.34$). For the most part, however, the political cultures in which officials resided had little significant impact on the principles that they applied to culture war issues. Analyses of variance showed that there was far more variance in officials' support for such principles within cities than there was variance across communities that could be explained by cultural differences. The third column in Table 11.5 illustrates this point. Although there are some differences in the mean support among officials for legislating morality by cultural type of city, these differences are not statistically significant. With the possible exception of Austin, there

is somewhat more opposition to than support for legislating morality in each city in our sample. Given the lack of much variance across cities, measures of political culture are not very helpful in accounting for officials' attitudes toward the principles that they see as relevant to the resolution of culture war issues.

Nevertheless, it is premature to ignore political culture as important in developing theories about the occurrence and resolution of culture wars. If particular kinds of culture war issues invoke certain moral principles, if the resolution of culture war issues are strongly influenced by the moral principles that officials hold, and if certain moral principles resonate more strongly in certain cities having particular cultures, then we should be able to predict the outcomes of culture wars from the moral principles that predominate in the local cultures. For example, equal rights principles appear to be particularly strong in Seattle and, as shown in the last cell of Table 11.5, its officials have values that reflect this strong allegiance to equal rights. In culture wars over minority and gays rights in Seattle, it is thus predictable that the advocates of controlling discrimination would and have prevailed.

CONCLUSIONS

This chapter has claimed that local culture wars require officials to reflect on the principle that governments should not legislate morality. Although most officials agree that it is best for them to avoid imposing controls on the freedoms of their citizens to pursue their own good as they define that good, some officials deny the validity of that principle, and most officials hold other competing principles that sometimes seem relevant to culture war issues and outweigh their reluctance to legislate morality. These other principles maintain that social controls over citizens should be enforced for a number of good reasons: religious authorities require it; universal ethical principles should be followed; dominant community values must be respected; it is for the greater good of the greater number; it is important to prevent people from harming others or themselves, and so forth.

The culture wars that break out in cities invoke these principles in quite obvious ways, as shown in Table 11.3. By knowing the principles that are relevant to a culture war issue, and by knowing the distribution of support among officials for that principle, it is possible to provide fairly strong predictions and explanations about how culture wars will be and are resolved. Consider the case of abortion. Opponents of abortion invoke the principle that behavior should conform to religious sentiments, but most officials reject that principle. Proponents of abortion invoke the principle that legal rights must be honored, and most officials support that principle. The result, of course, is that abortion supporters normally win the culture war against their abortion opponents.

This chapter presents the basic concepts and findings for theorizing about the resolution of culture war issues in this way. Of course, predicting and explaining the outcomes of culture wars is not so simple. To develop a fuller theory of the resolution of culture war issues, three difficulties must be overcome.

First, other principles and values than those identified in the simple abortion example can come into play. Future research needs to identify the full range of principles and values that are at stake in various kinds of culture wars, and it should develop methods that facilitate identification of the particular principles and values that are at stake in particular culture war incidents.[13]

Second, we need to know how officials deal with the culture wars that are ignited in their own souls. Many issues invoke in officials conflicting sentiments because they hold more than one moral principle, and these principles can pull them in opposite directions. We need to know which principles officials will give priority when such conflicts arise.

Finally, we need to know the determinants of principles that officials hold and their ordering of conflicting principles. Tables 11.4 and 11.5 suggest that personal and contextual characteristics are not very strong determinants of these matters. Existing conceptions and measurements of political culture provide only minimal assistance in determining allegiance to moral principles. Better theory and research on factors influencing the moral sentiments of officials is necessary before a powerful theory of urban culture wars can be attained.

NOTES

1. The political cultures of these sample cities are indicated in Table 11.5.

2. This procedure may have contributed to an unrepresentative sample in two ways. First, the topic of fairness may have intrigued some types of people more than others. Second, requesting two-hour interviews may have deterred participation among some with hectic schedules.

3. By this definition, affirmative action policies—which involve conflict over the just distribution of job and educational opportunities—are issues of justice rather than virtue and hence are excluded from analyses of culture wars.

4. As will be shown below, almost a quarter of our effective sample expressed strong support for the civil rights of minorities and/or gays, and half of these officials explicitly expressed their opposition to legislating morality. Rather than coding these officials as providing mixed statements about legislating morality, their scores on this variable were based on their expressed statements and their positions on other issues. Although prohibiting discrimination is a social control of what can be regarded as nonvirtuous behavior, it seems to most officials to be a control of a different sort than that sought on other culture war issues. On civil rights issues, prohibiting discrimination is seen as producing a greater gain in social liberty (for those who have been discriminated against) than loss in such liberty for those who discriminate.

5. Here and elsewhere in this chapter, I draw on official comments to suggest that cul-

ture war issues can sometimes be resolved through compromise. Although some researchers like Mooney and Lee (1995:600) have emphasized the "uncompromising clashes over values" that characterize culture wars, my research suggests that antagonists in these wars may emphasize their irreconcilable differences to a much greater extent than officials who must adjudicate these conflicts and may seek middle ground between strongly opposing positions.

6. The dominant-community-values and democratic-will justifications are obviously closely linked, because democratically enacted legislation is a major means of requiring citizens to conform to dominant values. Nevertheless, as Mill argued in *On Liberty* and for purposes of this chapter, these two justifications are clearly distinct. Dominant community values—or public opinion—can control individual choices through social pressures outside of the democratic process, and the democratic will can be shaped by many factors other than the underlying values of the public.

7. The finding that officials speak more to the role of public opinion than the democratic will as a basis for regulating morality is probably an artifact of the term "dominant community values" being explicitly linked to the issue of rewarding virtue in one of the principles that officials were asked to address. Although officials were also asked to assess the fairness of democratic procedures, the principle regarding the fairness of democratic procedures was not linked to issues of resolving conflicts over different conceptions of human virtue. Many officials who opposed legislating morality based on dominant community values may have thought (but not expressed) the idea that the potential coerciveness of dominant community values lies in their being converted to democratic majorities in the legislative process.

8. For other examples of paternalistic policies that sometimes spark culture wars, see Dworkin (1983).

9. In the broader study, urban officials were asked to indicate their support or opposition to utilitarianism. More officials (47 percent) agree with the principle than disagree with it (33 percent), but most of these officials focused on the distributive implications of the principle, rather than its implications for legislating morality. It may be that more opposition to using utilitarian defenses of legislating morality would have been expressed had the focus of the interviews been culture war issues.

10. Data on the personal characteristics of officials were obtained in the interviews, and data on their social context were obtained from standard sources such as the U.S. Census and the *Municipal Yearbook* (1993). See the footnotes to Table 11.4.

11. Correlates of support for the majority-will principle are not provided in Table 11.4 because only four officials provided comments regarding it.

12. The extent to which an official lived in I, M, and T cultures was assessed using four-point scales of each these cultures. For example, to assess the impact of living in a city with an individualist culture, officials living in a city characterized as having only an I-culture were scored as "4." A score of "3" indicated a city with a cultural mix where the I-culture was most prominent; "2" indicates a cultural mix where the I-culture was evident to a secondary degree; and "1," cultural characteristics other than individualistic ones.

13. See Schumaker (1991:71–72) for a method of identifying the principles that are at stake in policy issues in general. The method discussed there is considerably more rigorous than the method used here.

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