

Chapter 4

Moral Dialogues

4.1 Introduction

Moral dialogues are social processes through which people form new shared moral understandings. These dialogues typically are passionate, disorderly, and without a clear starting point or conclusion (in contrast to elections or debates in a legislature). However, moral dialogues often do lead to profound changes in the moral positions of those who are engaged in them. Although moral dialogues never change the values of all those involved, they often, as we shall see, change the moral positions of a sufficient number of people so that actions and policies that previously had little support (e.g. environmental protection), and actions and policies considered morally inappropriate by many (e.g. same-sex marriage) gain widespread moral approval.

Moreover, we shall see that when moral dialogues mature, the new shared moral understandings that arise have profound sociological effects well beyond changes in values and norms and attitudes. These new or changed moral understandings are embedded in new laws or lead to significant changes in law and more importantly, they lead to major changes in voluntary behavior. For instance, the shared understanding that we have a moral obligation to the environment led to the founding of a new government agency (the Environmental Protection Agency); scores of new laws and regulations; and considerable changes in voluntary personal behavior including recycling, preferences for sustainable sources of energy (a factor in purchasing cars, appliances, and solar panels), donations, and voting. True, these changes were also affected by other factors, especially changes in economic incentives. However, the restructuring of these incentives reflects in part changes in shared moral understanding. This chapter focuses on the dynamics and effects of moral dialogues that lead to significant changes in shared moral understandings (SMU).

The analysis combines two methods. It follows historians by studying the development of various moral dialogues over time in a particular community or nation, in a given period. It follows sociologists in that it seeks to identify recurring social factors that moral dialogues draw on to bring about new SMU. These elements are

next listed and then studied. That is, the chapter summarizes what is known about moral dialogues and develops an analytical framework for future research.

To study moral dialogues one needs to start with a baseline, to show where the shared moral understandings were before the moral dialogues changed them (Sect. 4.1). Next the chapter examines the sociological dialogue starters that lead to the initiation of moral dialogues (and their differences from historical ‘firsts’) (Sect. 4.2). The next section deals with the attributes and dynamics of moral dialogues. These include a review of intensive, interlinked multiple group discussions—which we shall call “megalogues”—that are required for moral dialogues to take place on a large scale (Sect. 4.3); the distinct attributes of moral dialogues as compared to rational deliberations and culture wars (Sect. 4.4); and the crucial role of dramatization (Sect. 4.5). The chapter then turns to show that moral dialogues that reach closure have significant sociological consequences. These are revealed in changes in shared values, laws, and behavior, when one compares the end state to the baseline (Sect. 4.6).

Following these sections is a case study to illustrate the various elements in one specific historical development, the change in SMU about same-sex marriage (Sect. 4.7). The importance of moral dialogues for community building is briefly discussed (Sect. 4.8). The chapter closes by pointing to a particularly challenging question—how is one to determine whether socially shared moral understandings, which basically reflect moral consensus—are indeed moral? (Sect. 4.9).

This chapter leaves for future discussion the study of the effects of external structural factors on moral dialogues, such as differences in political and economic power, social inequality, race, and gender. The chapter seeks to introduce moral dialogues as distinct from reasoned deliberations, expressions of emotions, and culture wars and leaves the important effects of structural factors on moral dialogues, a major subject all by itself, to a separate examination.

One can readily envision moral dialogues within a family or a small community but may well wonder if a society that encompasses many millions of people can engage in a moral dialogue. We shall see below that such society-wide dialogues take place by linking millions of local conversations (between couples, in neighborhood bars, in coffee houses, car pools, next to water coolers at work, and so on) into a society-wide moral give and take.

In his book on democratic citizenship, *Citizen Speak*, Andrew Perrin describes the social interactions in which moral dialogues occur, though he does not use this term. He writes:

In everyday political life, citizens do have the opportunity to deliberate, though not in the laboratory conditions of Ackerman and Fishman, nor in the dramatic street battles of social movements. They can deliberate with friends, colleagues, fellow students, neighbors, members of organizations they belong to, anonymous others through letters to the editor, talk radio, Internet chat, and more...I have called these contexts political microcultures. (Perrin 2006, pp. 7–8)

However, Perrin seems to wonder if such deliberations could lead to the equivalent of a shared moral understanding. In the face of conflicting values, he questions whether they might result in compromise rather than consensus (2009, p. 48).

Since the advent of modern media, especially following the rise of social media, moral dialogues occur even on a transnational level. The suggestion that the “people of the world” can have moral dialogues may seem at first like one of those dewy-eyed notions held by naive idealists. Indeed, even in national dialogues, not all citizens participate, and the resulting understandings are not shared by everyone. Millions are preoccupied with basic needs, set back by a lack of education, or under the influence of mind-numbing substances, and in parts of the world run by authoritarian regimes.

However, the attentive public (Miller 2010), deemed as those who are publicly aware and engaged, is growing, as education and access to the media are spreading through many parts of the world. Thus, the citizens of countries as different as Russia, China, Iran, and Saudi Arabia have more access to transnational communications than they had in 1980. Hence, the reach of transnational moral dialogues is rising.

The effect of transnational moral dialogues is reflected in new shared understandings regarding land mines, trading in ivory and antiques, whale hunting, norms against proliferation of nuclear weapons, armed intervention in the internal affairs of other nations, the responsibility to protect (against genocides), human trafficking, and—to a lesser extent—in support of human rights and climate protection.

Before I can proceed, I must note a meta point that underlies much of the following: escaping the curse of dichotomies. A good part of public discourse and quite a few philosophical and social science deliberations draw on dichotomies. For instance, for the last two centuries the people of many nations have been engaged in debates between those who champion the private sector and those who champion the public sector; between the merits of the market compared to those of the government; between liberals and conservatives. These debates typically ignore a very large amount of social “business” conducted in the third sector, that of communities, voluntary associations, ethnic and religious groups, hundreds of thousands of not-for-profit corporations, and millions of families. This observation is particularly relevant for much that follows because moral dialogues occur largely in the third sector.

The curse of dichotomies is equally evident in the analysis of behavior as either rational or irrational, and of dialogues as either evidence-based, drawing on facts and logic (‘cold’), or as passionate (‘hot’), and hence irrational. Such dichotomies are particularly seductive because they do not tax the memory, are strongly favored by the mass media (which only rarely give voices to third positions), and allow one to split ambiguities and project positive traits and attributes on one element of the dichotomy and negative ones on the other.

Last but not least, dichotomies greatly simplify analysis. This is the case because if one shows that one option of the only two which dichotomy-based analysis recognizes is valid or good, then there is no need to study the other. Its evaluation logically follows. Thus, if one sees time as divided only into days and nights, if something did not occur during the day, then one need not study anything to determine that it occurred at night. It logically follows. Thus, once critics of the rational model, *homo economicus*, showed that people do not command the intellectual qualities the model presumes—specifically that people cannot process information the way the model requires—it followed logically that people are irrational, poor

decision makers, in simple English, “fools” (Akerlof and Shiller 2016). And if dialogues are not based on reason, they are assumed to be dominated by emotions. Other scholars have noted this dichotomy and maintain that it is outmoded. For instance, Jeff Goodwin et al. (2001) write that “[m]obilization theorists shared little with their predecessors except a dichotomized opposition between rationality and emotion, which led them to deny emotions altogether in the politics they studied. Today.. .we can begin to see emotions in a new light” (p. 10). According to Goodwin et al. (2001), the “opposition of emotions and rationality” is “misleading” (p. 15); emotions can play a part in rational action. Similarly, a good part of what follows seeks to break out of this kind of dichotomous analysis and show that people often are non-rational but not necessarily irrational, and that dialogues can focus on moral issues, which have a passionate element but also a reasonable one, albeit a particular kind of reasoning.

Moral dialogues tend to follow a set pattern. I choose my words carefully. Not all moral dialogues follow all the stages next outlined. The pattern should hence be viewed as an ideal type (Encyclopedia Britannica 2016). It serves as an analytic matrix for the study of various specific dialogues and the comparison of one to others. In presenting the pattern (some would call it ‘natural history’), I draw on illustrations from American experience, although its presence in other societies and transnational dialogues is self-evident.

4.2 Baselines

To assess the effects of any given moral dialogue, one must establish what the shared moral understanding was before the dialogue took place. For instance, to assess the effects of moral dialogues on our moral obligations to “mother earth,” about our stewardship of the environment, one must start by noting that in the 1950s, there was no shared sense of such a moral responsibility. People dumped garbage in lakes and streams, drove cars that emitted a great deal of pollutants and used coal as a major source of energy, without any concern about their environmental implications. In the same period, racial segregation was legally enforced and widely supported. Women were expected to be homemakers and submissive. Gay people were considered sinners and deviants. Smoking in public raised no moral issues. Researchers can readily find some academics, clergy, or visionaries that made a moral case against any one of these established mores. However, they did not start moral dialogues and did not have a significant effect on the nationwide shared moral understanding.

4.3 Sociological Dialogue Starters

Moral dialogues often start with the articulation of what might be called a “moral brief,” akin to what lawyers file before they argue a case before the Supreme Court. It typically includes a criticism of the prevailing moral culture and society and a substantive statement of what a new shared moral understanding (SMU) should contain. One should note in this context that some protest movements and organizations mainly provide a criticism of the prevailing order but contain little content—or only exceedingly vague content—about the core values to replace the old one. They are more disruptive than transformative. Major changes in SMU require that briefs also include statements about the new SMU to replace the old one. (It is a point that was not fully taken into account by several groups that brought down old regimes during the Arab Spring.)

Betty Friedan provided such a brief for a moral dialogue about women’s rights and status in her 1963 book *The Feminine Mystique*. Rachel Carson provided such a brief for the environmental movement in her book *Silent Spring*, published in 1962. Ralph Nader did the same for the consumer protection drive in his book *Unsafe at Any Speed*, published in 1965. Other moral dialogues were started by a declaration, like Martin Luther’s 95 theses, which prompted the Protestant Reformation. A Harvard committee provided a brief for changing the definition of death to one that occurs when there is a “brain death.” Sometimes moral dialogues are triggered by an event rather than a brief, such as the Three Mile Island accident, which started a dialogue about nuclear safety. However, in all the cases examined, a brief followed.

In examining moral briefs, it is important to distinguish between historical starters (‘first’) and sociological take-off points. When a book or trial or event leads to a new moral dialogue, historians will often point out that rather similar ones have already been published or have taken place before. For instance, before *The Feminine Mystique*, other books on the topic had been published, including *The Second Sex* by Simone de Beauvoir in 1949. However, these previous starters were false starts; they did not start major moral dialogues that could lead to new SMU. For the purpose of studying changes in SMU, one must focus on those briefs and events that served to initiate the kind of dialogues and societal changes next described; that is, those that were followed by a dialogue that took off rather than remained grounded.

Some studies refer to the selection of dialogue starters as “agenda setting,” the process through which people attribute a higher importance to some issues as compared to others. According to H. Denis Wu and Renita Coleman (2009), “For more than thirty years, the main concept in agenda setting theory has been the transfer of issue salience, or how media emphasis of certain issues raises their importance for the public” (p. 776). A common finding is that the media largely determines the issues the public focuses on.

James Jasper (1998) describes what here is referred to as ‘starters,’ using the term “moral shocks.” According to Jasper,

'Moral shocks,' often the first step toward recruitment in social movements, occur when an unexpected event or piece of information raises such a sense of outrage in a person that she becomes inclined toward political action, whether or not she has acquaintances in the movement. The triggers may be highly publicized public events such as a nuclear accident, or personal experiences such as the death of a child. They may be sudden, like an accident or public announcement, or they may unfold gradually over time, as in the realization by Love Canal's residents that they were living over a toxic waste dump. Similarly, the shock may come from a plan for something new or from new information about something existing, which has already done unseen damage (p. 409).

The content of the brief, how well it is argued and presented, or the nature of the starting events, is often not the most important factor determining whether they will serve merely as a historical first or will lead to a sociological take-off. Much more important is whether or not the sociological conditions that would allow the changes to take off are in place. Thus, for instance, briefs for liberal democracy in societies of the kind the US found in Afghanistan in 2003 are unlikely to lead to a take-off (Etzioni 2015). Kristin Luker's (1985) book *Abortion and the Politics of Motherhood* illustrates how a change in sociological conditions allowed for a moral dialogue to take off. Luker writes that

the pro-choice activists started out being considerably more liberal than many Americans, but within a very short period of time, American public opinion had moved much closer to the pro-choice position. It is tempting to argue that the pro-choice people simply "persuaded" a great many fellow Americans to accept their point of view. To some extent they probably did; certainly the mere fact that they made the abortion issue a subject for public debate allowed many more people to become familiar with it and to form personal opinions about the merits of the case. It seems likely, however, that American public opinion was shaped more significantly by the large-scale social changes going on at the time—changes in the status of women, changes in traditional sexual morality, and an increasing concern with poverty (p. 226).

Similarly, looking at the feminist movement, it seems that *The Feminine Mystique* led to take-off not necessarily because it was better argued or had more evidence than previous books on the same subject, but because it was published after many women worked in factories and some participated in the military during WWII and were thus open to suggestions that they are able and entitled to play roles other than homemakers (among other factors). The question of which sociological developments set the stage for this and other take-offs, and those which failed, is not explored in the following discussion because it requires a major study in and of itself.

Some starters that launch moral dialogues are events rather than briefs. For instance, Rosa Parks refusing to give up her seat and move to the back of the bus is widely recognized as a starter of the civil rights movement, among others (Morris 1999). The brief for the movement followed later, especially in the speeches of Martin Luther King Jr., above all in "I Have a Dream." This case illustrates my hypothesis that for moral dialogues to take off and reach their destination (a new SMU), all the elements are needed, but the sequence may differ from one dialogue to another.

Finally, one should note that many moral dialogues take off but then lose altitude and need to be relaunched if they are to lead to a new SMU. For instance, dialogues

about inequality in the US are following this pattern. Google Trends data shows the popularity (relative to all other Google searches) of certain search terms. Interest in “social inequality,” for instance, is lacking a definitive spike; instead it consistently wavers.

Moreover, some moral dialogues that do take off never produce a new or changed SMU. For instance, briefs that called for the formation of a global government, in particular the 1947 Montreux Declaration by the World Federalists as part of the World Movement for World Federal Government (The Montreux Declaration 1947), initiated a measure of moral dialogues but these petered out without gaining a new SMU.

4.4 Megalogues

For a starter brief or event to lead to a new SMU, it must be followed by processes that would lead a large number of people to reexamine their moral values, give up what they long believed was right, and accept a new set of values as morally valid.

Some advocates of moral causes believe that if the president would make a powerful speech or conduct ‘fireside chats’ as President Roosevelt did, this would lead to a new SMU and change the direction of the nation. President Kennedy’s speech that urged Americans not to ask what their country can do for them but what they can do for their country is credited with engendering a historical change; however, although the speech is often quoted, there is precious little evidence that, by itself, it had much of an effect. President Carter tried to make Americans treat the saving of energy as a test of their moral fortitude in his famous malaise speech—with mainly negative effects. President Obama spoke eloquently for many causes, especially for finding common ground, but the nation became more polarized. Such speeches can serve as sociological dialogue starters, but they must be followed by dialogues for them to have the sought-after societal effects. People who adhere to a moral value do not change their position because of just one speech, however eloquent.

Instead, when a topic takes off, or ‘gets hot,’ it becomes the subject of extensive discussion in personal settings (over dinner, in bars, firehouses) and in local meetings of voluntary associations and clubs (Rotary, PTA, places of worship). These, in turn, are amplified and linked through national organizations during their meetings (such as AIPAC, League of Women Voters, NAACP, Sierra Club, Conference of Catholic Bishops, National Council of Churches, etc.), and through the media (call-in shows, commentaries, and debates on TV and radio) and social media.

To illustrate, in 2015–2016 a subject that was only sporadically discussed in previous years became a focus of a nationwide moral dialogue in the US, namely the rights of transgender people. Google Trends data shows that the relative popularity of the search term “transgender bathrooms” in the United States was low for over a decade and then experienced a sharp increase after 2015.

4.5 Distinct Attributes

Moral dialogues differ sharply from both expressions of emotions and from rational deliberations. In effect, they constitute a hybrid that has qualities of its own, different from the composite elements. Moral statements contain emotions in contrast to sheer statements of facts or logic. At the same time, these statements contain justifications—that is, they are intellectually accountable—in contrast to emotions. When one discloses that one hates or loves or declares any other emotion, it suffices to state ‘because this is what I feel’ (*de gustibus non est disputandum*) (Stigler and Becker 1977). In contrast, if one states that a given condition is immoral, say not fair, one is expected to spell out the reasons and give a basis for this statement. And one may be challenged with arguments that such a statement is inconsistent with previous ones, or violates a general ethical position to which the person subscribes, or with still other arguments—and one is expected to justify one’s moral judgment or modify it. This is what I mean to be held accountable.

The discussion next turns to elaborate these points, comparing the three kinds of expression (rational, emotional, and moral) and the related group processes.

Moral statements differ from rational statements that are focused on facts, as well as from logical conclusions that can be drawn from these facts. People are invested emotionally in moral statements, and hence when new facts arise or new arguments are made based on evidence, people will not change their positions readily. True, much has been written to point out that facts and values cannot be completely separated and they often bleed into each other. Still, there is a clear difference between what have been called *is* versus *ought* statements. Reasoned deliberations are about *is*, moral dialogues about *ought*.

To illustrate, one may argue whether or not the death penalty is justified on empirical-logical, rational grounds by comparing crime rates in states that have versus do not have death penalties. Or, before and after such sentences were carried out in states that either dropped or adopted this penalty. In contrast, if one holds that it is morally wrong for the state to deliberately take a life, statistics about the effects on crime rates will matter little (or only if one can show that the result leads to a higher loss of lives).

Quite a few previous discussions of the attributes of dialogues suffer from the curse of dichotomies. The main case in point is the growing recognition that the assumption that people are rational creatures, able to collect and process the information needed to make rational choices, is a false one (Sen 1977; Thaler 2015). It is assumed ipso facto that therefore people are irrational, unable to make sensible judgments, because the analysis started from a binary position. If not A then it must be B. Actually, as Talcott Parsons pointed out long ago, there is a whole third realm, that of the non-rational. This realm includes ‘other worldly’ matters, which deal with questions and views about the afterlife, deities, the meaning of life, why we were born to die, and with the selection of moral values, especially when two or more of these values are in conflict.

The same holds for group deliberations. Thus, according to James Kuklinski and his associates, “In a democratic society, reasonable decisions are preferable to unreasonable ones; considered thought leads to the former, emotions to the latter; therefore deliberation is preferable to visceral reaction as a basis for democratic decision making” (Kuklinski et al. 1991; Dryzek 2008). James Q. Wilson (1990) writes about “the contrast [James] Madison draws between opinions and passion, since opinion implies a belief amenable to reason whereas passion implies a disposition beyond reason’s reach” (p. 559).

Moral values and deliberations are either ignored or explicitly ‘reduced’ to irrational emotions. According to Ernest R. House, “Values might be feelings, emotions, or useless metaphysical entities” (House 2005, p. 2). Cheryl Hall (2007) notes that an “endemic problem for deliberative theory stems from the supreme value it places on calm rational discussion, to the exclusion of both emotionally laden speech and passionate protests” (p. 81). Some advocates of deliberative democracy have suggested supplementing deliberation “with more obviously emotional forms of communication” (Hall 2007, p. 82). However, Hall argues that deliberative democracy is “more reliant on passion than either advocates or critics acknowledge,” criticizing the assumption that reason and passion must be in opposition in deliberation. All these statements assume a dichotomous world, limited to ‘cold’ rational deliberations or ‘hot’ emotions.

Jonathan Haidt (2012), in his nuanced analysis, still holds in the end that people are basically driven by emotions, and make up post hoc reasons to justify them. Thus, if one seeks to persuade them, one must appeal to their emotions. If this would be true, moral arguments would make no difference, ethical deliberations would have no effect.

The stark opposition between rational and emotional group processes does not recognize a third realm of moral statements and dialogues—in which people engage each other’s values. Reasoning concerning moral differences, the kind of deliberations ethics texts provide, are different from the reasoning involved when one deals with facts. True, the two realms bleed into each other. Nevertheless the distinction stands. Thus, to argue against the death penalty because one believes that the state should never deliberately take a person’s life falls into the first category, while the argument that the death penalty is not effective in suppressing crime falls into the second.

The following serves as an illustration of this third realm of moral statements. For generations, Americans have been strongly opposed to governments running high deficits. Indeed, many American states and municipalities are legally required to balance their budget each year. This position is mainly based on moral values, such as ‘one should not live beyond one’s means,’ and not ‘burden our children with debts’ and that it is morally wrong to be in debt. It is sinful. In German, the same word is used to describe guilt and debt. The actual harm deficits cause is a rather complex question and there is considerable evidence that balancing the budget each year (rather than over a cycle of recessions and prosperity) is a poor policy.

I am not arguing that rational deliberations and moral dialogues do not affect each other. However, when one examines particular dialogues one can, as a rule, readily determine which statements are mainly moral versus largely factual, and see

differences in give and take between those that are evidence-centered and those focused on moral issues.

We can gain some insight into the issue from mental experiments. A father finding out that his young son smoked may merely yell at him, demanding that he stop (sheer emotion) or—strongly express, in emotive terms, his concern for his son’s health, and also explain the risks involved to him and others around him. For the purposes of moral dialogues, it matters not in this case if the argument that the father made was merely a rationalization that followed his emotions or one he developed on the basis of information he garnered and understood. What matters is if his son is less likely to be swayed when exposed to sheer emotion as compared to emotion accompanied by reasoning. Moral dialogues, it follows, draw on both emotional expressions and reason. Otherwise they are shouting matches, guilt trips, or expressions of blind love, shame, and other such emotions.

Some accord a great role to the media as a moral persuader. For instance, when it shows a graphic picture following an earthquake or typhoon, millions of donations flow to the people in the devastated area, based on the emotions the picture evokes. However, on closer inspection, one notes that the picture does not so much shape one’s moral disposition as direct where it is applied. One can determine this by noting that large donations will come from Americans because voluntary donations are part of the American moral tradition. In some other countries, the same pictures will lead to greater demands on the government to act. And in still others, very few donations will be forthcoming. Bernard Cohen (1963) made this point well when he observed that “[the press] may not be successful much of the time in telling people what to think, but it is stunningly successful in telling its readers what to think about” (p. 13).

In further deliberating on the question at hand, one can draw on firsthand experience in moral deliberations. Thus, when we serve on a committee that considers whether or not to disclose to the public or the authorities some unethical conduct or acts that might be illegal—for example, bullying or unconfirmed reports about inappropriate advances made by a coach—we note that our emotions are surely engaged but that we also take into account moral arguments.

Moral dialogues resolve differences and are thus able to lead to new SMU in their own ways, a far cry from relying on new empirical evidence. One often-used procedure in moral dialogues is to appeal to an overarching value that the various parties to the sorting out process share. Robert Goodin (1989) in effect is using this rule when he seeks to pave the road for a community that must sort out a course between the rights of non-smokers and those of smokers. At first, this may seem as a typical clash between two values: the rights of one group versus those of another. However, Goodin points out that both groups are committed to the value that one’s liberty does not allow that person to violate the “space” of the other. In popular terms, my right to extend my arm stops when my fist reaches your nose. Goodin argues that value applied because non-smokers, in their non-smoking, do not penetrate the smokers’ space, while smokers do violate non-smokers’ space in public situations, thus non-smoker rights should take priority. Using such arguments, American communities reached the SMU that lies at the foundation of the new

restrictions on smoking in numerous public spaces. (The fact that these new regulations met very little opposition shows that they were based on a thoroughly shared moral understanding, unlike Prohibition.)

Another procedure is to bring a third value into play when two diverge or clash. For instance, those who recently tried to restore the Black-Jewish coalition of the 1960s in the United States argue that both groups share a commitment to liberal causes. Additionally, attempts to create an interfaith coalition pointed to the shared commitment to fight poverty, as the participants struggled to work out a joint position (Lerner and West 1995). Groups that strongly support pro-life public policies and those that strongly support pro-choice ones agreed to work together to improve the care of children, which both groups cherish.

“Culture war” is a term that was used originally between social conservatives and liberals about issues such as abortion and divorce (Stein 2001). More generally, it is used to refer to “a conflict between groups with different ideals, beliefs, [or] philosophies” (OED 2016). It implies persistent, unresolved value differences such as between Protestants and Catholics in earlier eras, Shias and Sunnis, and secular and Ultra-Orthodox Jews more recently. One may view culture wars as failed moral dialogues, in part due to higher levels of emotional involvement compared to moral dialogues. However, one should note the findings of an excellent study by historian Stephen Prothero (2016) which show that, over time, even these dialogues (sometimes referred to as culture wars) often lead to new SMU, for instance about same sex-marriages, the use of contraception, and divorce. This may even be true about gun control; however, in this realm shared moral understandings have not yet reached a level where they can lead to significant changes in voluntary behavior or the law.

4.6 Dramatization

So far the analysis of moral dialogues has focused on communications; on members of a community, however small or large, exchanging moral viewpoints, discussing moral issues with one another, reexamining their moral positions, and reaching (often) common ground. One should not ignore, however, that all such dialogues also contain acts that serve to dramatize the moral issues under discussions, such as sit-ins, demonstrations, occupying administrative buildings on campuses and corporations, sit-downs in traffic lanes, and spilling blood on fur coats (by animal rights activists). Court cases such as the Scopes Trial, Congressional hearings regarding Joseph McCarthy, and the confirmation of Justice Clarence Thomas also serve to dramatize the issues.

These dramatizations serve two main purposes. One is to nurture the dialogues. Following dramatizations, especially those with novel rather than merely routinized elements, one finds a spike in dialogues. A case study is presented later in the chapter. The importance of dramatization has risen since the advent of TV. Pictures are highly evocative while verbal dialogues rarely lend themselves to dramatic footage. Hence, dramatizations are a particularly effective means to promote moral dia-

logues, to keep the issues under discussion in the public eye, and to evoke participation.

Second, dramatizations engage people's emotions, while verbal give and take relates more to intellectual accountability elements. Dramatization thus helps ensure that people who may be swayed by an argument will also refigure their emotional commitments accordingly.

4.7 Closure

Many moral dialogues lead not only to significant changes in the moral positions of millions of individuals—which are essential for bringing about changes in prevailing SMU or to form new ones—but also engender significant changes in behavior and laws. When moral dialogues are advanced successfully, they lead to the formation of new shared moral judgments or to changes in moral positions (values, norms, and attitudes). For example, as far as one can determine, there was no significant shared moral commitments to the environment in 1950. By 2016, “74% of U.S. adults said the ‘country should do whatever it takes to protect the environment’” (Anderson 2016). Furthermore, “Seventy-three percent of Americans say they prefer emphasizing alternative energy, rather than gas and oil production, as the solution to the nation’s energy problems” (Auter 2016).

To reiterate, even when successful, the change in SMU encompasses merely a large segment of the people who engaged in these dialogues; there always remain some who do not change their moral position. Moreover, some moral dialogues fail, e.g. between the pro-choice and pro-life groups. Many take off, slow down, and are relaunched before a significant level of SMU is reached (e.g. the dialogue on inequality). However, when these dialogues take off and mature—they change the moral positions of large segments of the populations, often ending with new moral majorities.

More importantly, the great significance of SMU is that they lead to voluntary changes in behavior—well beyond changes in attitudes. Thus, people who acknowledge that they have a moral obligation to the environment are much more likely than others to recycle, use recycled paper, bike and walk, buy low-emission cars that use fuel efficiently, support public policies that protect the environment, use solar panels, and so on. True, these behaviors are also affected by changes in economic incentives and legislative acts. However, for reasons next outlined, it makes a very great difference (a) if the changes in behavior are mainly voluntary, due to changes in what people consider the right behavior—versus mainly due to economic and legal incentives and (b) if the changes in incentives and laws are supported by SMU or not.

To call attention to the role of SMU in engendering significant voluntary changes in behavior, is not to suggest that the social change effected by SMU cannot be supplemented or manipulated when combined with economic and legal incentives or disincentives and social arrangements such as “nudges” (Thaler and Sunstein 2008).

The role of SMU in affecting behavior rather than just attitudes is of great significance and hence deserves some elaboration. In a very extensive study of what motivates people, a study whose findings were replicated and augmented many times, Amitai Etzioni (1961) showed that people can be motivated to engage in pro-social behavior that they would not have engaged in otherwise, in three ways. They can be coerced; motivated by economic incentives or disincentives; or convinced of the moral rightness of changing their behavior. The study shows that people resent being coerced, and will try to deviate from forced patterns of behavior whenever they believe they can get away with it. Hence compliance will be costly, unreliable, and far from satisfactory.

People who are paid to behave—read a book (Warren 2012), come to class (Haynes and Birnbaum 2008), work, etc.—will be less alienated than those who are coerced, but also seek to gain the incentives while giving as little as possible in return because their preferences are not compatible with what they are paid to do.

In sharp contrast, people who find that what they are asked to do is morally compelling will feel ennobled when they carry out their tasks and will seek to carry them out well, even if they are not supervised. (Those in hybrid situations will act accordingly; e.g. the feelings and behaviors of physicians paid to take care of their patients but also convinced that they are doing good, will fall somewhere between those only responding to economic incentives and those who feel morally compelled.)

There are those who hold that each person is out to pursue their self-interests, and famously, that an invisible hand will ensure that as a result, the economy will thrive and all will do well. Whether this is true or not for the economy need not be examined here; however, this certainly does not hold true for society. The problem of social order, as Dennis Wrong (1923, 1994) put it, is that people need to be motivated to engage in pro-social behavior. However, no society can provide for a sufficient number of police, accountants, or border patrol agents, etc. to coerce a satisfactory level of pro-social behavior. Moreover, such enforcement is costly, as the US discovered when it incarcerated people en masse, spending more on prisons than on higher education, trying but failing to curb substance abuse. Last but not least, such enforcement faces the often-cited challenge: who will guard the guardians? Many enforcement agents are corrupt and engage in anti-social behavior themselves.

In contrast, to the extent that most people do most times much of what needs to be done—go to work, take care of their family, pay taxes, avoid polluting, and so on—because they hold that the expectations that they will act responsibly are legitimate, compliance will be high, costs will be low, and inclination to rebel, minimal. An interesting example is tax compliance. It has been shown that if people believe that taxes are fair and legitimately used, they pay more of the taxes owed (Lewis 1982, pp. 5–6).

When SMU are formed, they enable a society to limit coercive enforcement and rely much more on self-regulation. For example, when public smoking bans were enacted, they caused little opposition and resulted in general compliance because they followed public education (especially on secondhand smoke risks) and moral dialogues (Etzioni 1996, p. 146). On the other hand, Prohibition failed miserably

because public consensus on the issue was lacking; the law was not backed up by a shared moral understanding (Etzioni 1996, p. 143).

Although the main benefits of new SMU (or the reworking of an old, obsolete one), we have just seen, is an increase in voluntary adherence to social norms that define pro-social behavior, SMU also lead to new laws and regulations or to changes in them. That is, the new SMU tend to become legally embedded and reinforced. This is the case because (a) many social functions cannot rely only on moral persuasion and voluntary compliance (or—economic incentives). (b) Even if relatively few people ignore the social norms and such behavior is ignored, it is likely to unravel voluntary compliance over time because those who adhere to the norms will feel that they are being taken advantage of or treated unfairly and feel like “suckers.” Thus, if a growing number of people speed or park illegally with impunity, more and more will follow. Hence, mature SMU are best expressed not only in changes in voluntary behavior but also embedded in laws. Thus, the rise in the SMU that we have a stewardship over the environment led to the formation of the EPA and scores of laws limiting pollution. The rise in SMU that African Americans were treated unfairly led to Affirmative Action, the formation of EEOC, and court cases banning several forms of segregation, among other such moves.

Those who tend to favor enacting moral changes should note that in many cases gaining new SMU precedes the enactment of laws that express and undergird the values agreed upon. Dialogue about women’s rights advanced before Title IX became the law of the land. The same is true about gay rights before the Supreme Court ruling that made same-sex marriage legal across the country, and before legal segregation was struck down.

4.8 Case Study

4.8.1 *Baseline*

The moral dialogue about same-sex marriages is a subset of a much more encompassing moral dialogue on homosexuality, a dialogue not here examined. In 1970, no US state allowed same sex marriages. Even civil unions for same-sex couples did not exist as an alternative. According to the Supreme Court, it was not even a substantial federal question (implying that same-sex marriage was not something to be considered), a statement the Court made in 1972 when refusing to hear a case on the issue. Over a decade later in 1986, as a result of the Supreme Court’s decision in *Bowers v. Hardwick*, states maintained their ability to criminalize gay sexual relations (2016). In 1996, the Defense of Marriage Act (DOMA) was passed with 79% approval in the House (HR 3396 1996a) and 85% approval in the Senate, (HR 3396 1996b) which declared that for federal purposes, marriage was between one man and one woman (Cole 2016, p. 28). It was signed by President Clinton, whose statement on DOMA declared that “I have long opposed governmental recognition of

same-gender marriages and this legislation is consistent with that position” (Clinton 1996). In terms of public opinion, a 1996 Gallup poll found that 68% of respondents thought same-sex marriage should not be valid (Gallup 2016). Data from the Pew Research Center taken from the same year shows a similar figure of 65% (Pew Research Center 2015).

4.8.2 *Sociological Dialogue Starters*

There were several “historical starters,” such as the 1993 case in which the Hawaii Supreme Court suggested that it may be unconstitutional to reject same-sex marriage (Schmalz 1993). However, this prompted a backlash, and “[b]y 2001, thirty-five states had passed laws limiting marriage to a union of one man and one woman [including Hawaii]” (Cole 2016). One should not mistake this legislation as a reflection of a new shared moral understanding but rather a codification of the status quo, which was previously seen as unnecessary. Vermont’s recognition of same-sex civil unions in 2000 can be viewed as a “sociological starter” though it provided an alternative to same sex marriage rather than a redefinition of marriage.

A take-off point was reached when Massachusetts was the first state to legalize gay marriage in 2004 (Belluck 2004). As such, because of the DOMA provision denying federal benefits to same-sex couples, it put state and federal law at odds (Cole 2016, p. 82). The decision in Massachusetts prompted a backlash of state constitutional amendments banning same-sex marriage (Cole 2016, p. 49). California voted for Proposition 8 in 2008, which banned same-sex marriage in the state. But “...advocates could show the nation that allowing gay and lesbian couples to marry had no negative consequences” (Cole 2016, p. 51).

4.8.3 *Billion-Hour Buzz*

The legalization of same-sex marriage by Massachusetts in 2004, with the media portraying happy gay and lesbian newlyweds, helped to trigger a national debate on the subject. For instance, a search of *New York Times* articles containing the phrase “gay marriage” from 2000 through the end of 2003 turns out about 230 results, while from 2004 through the end of 2007 there are over 1500.

In 2004, 2005, and 2006, proposed amendments to the Massachusetts state constitution were discussed at “constitutional conventions.” “Each convention generated extensive local and national media coverage, and drew large crowds of demonstrators on both sides.” Ultimately no amendments were made, and same-sex marriage remained legal (Cole 2016, pp. 48–9). During this time, marriage equality remained a salient issue across the country. In order to get a sense of public opinion after Proposition 8 in California, there were focus groups, roundtables, and 30 groups created a combined survey (Cole 2016, p. 70).

In Maine, same-sex marriage was legalized in 2008, repealed by voters in 2009, and then was supported on a ballot measure in 2012. To prepare for the 2012 referendum, a new type of canvassing was introduced, one that involved “in-depth conversations, in which the canvasser asked open-ended questions designed to invite respondents to share their experiences.” Over 200,000 such conversations took place, and it is estimated that these conversations changed the stance of 12,500 Maine voters (Cole 2016, pp. 68–70). One of the televised political ads in Maine at the time closed with the statement: “This isn’t about politics. It’s about family and how we as people treat one another” (Cole 2016, p. 74).

Television played a key role in moral dialogues on marriage equality. The portrayal of gay and lesbian characters in the media has increased (Associated Press 2014), and there is evidence that this had an impact on public opinion. “According to a 2012 Hollywood Reporter poll, 27% of people who had changed their minds about gay marriage from anti- to pro- in the last decade said that they made their decision after watching gay characters on shows like *Modern Family* and *Glee*” (Dockterman 2015).

When President Obama came out in support of same-sex marriage in 2012, it had a significant impact on the amount of conversation taking place (Hitlin and Tan 2012). On blogs there was more than a 60% increase in statements on same-sex marriage after Obama’s announcement, and the number was even greater on Twitter (Hitlin and Tan 2012). “For the week of May 7–11 [2012], Obama’s comment on May 9 in favor of same-sex marriage was the No. 1 topic on blogs and the No. 3 subject on Twitter.” Furthermore, “there have been nine previous weeks [since 2009] when the subject [same-sex marriage] was among the most discussed on blogs or Twitter” (Hitlin and Tan 2012).

In 2013, the Human Rights Campaign (HRC) introduced an image of a pink equal sign against a red backdrop in support of marriage equality as part of a social media campaign in connection with the Supreme Court’s consideration of *Hollingsworth v. Perry* and *United States v. Windsor*, two cases that had implications for marriage equality. The logo went viral, with many people replacing their Facebook profile picture to one that included it, prompting news headlines such as “How the Red Equal Sign Took Over Facebook...” (Kleinman 2013). HRC provides the following description of phenomenon of the red logo:

The red marriage equality logo first appeared on HRC’s Facebook page at 2 p.m. on March 25, 2013. Within 24 hours, HRC’s Facebook post to encourage digital activists to change their social media profile pictures to a red and pink version of its ubiquitous logo received 189,177 shares, 95,725 likes, appeared over 18 million times in Newsfeeds, created upwards of 10 million impressions worldwide, and inspired countless memes. Facebook recorded a 120 percent increase in profile photo updates, and they deemed the effort the most successful campaign in their history (McCarty 2014).

Pew Research Center did a study of news coverage both leading up to and during the Supreme Court hearings; the study looked at 500 stories about marriage equality during an 8-week timeframe, concluding that the coverage indicated “strong momentum for same-sex marriage” (Hitlin et al. 2013). Although this number is by no means inclusive of every relevant news story during the selected timeframe, it

serves to give an idea of the extent to which marriage equality was being discussed. Pew also noted that the “Gay Voices” microsite of the *Huffington Post* “produced so much coverage that it was examined separately from the rest of the news media” (Hitlin et al. 2013).

4.8.4 Dramatization

The movement for same-sex marriage used court cases to dramatize the issues at the heart of the moral dialogue. Protests keep attention on the issue. For example, after Proposition 8, protests were widespread in California (Associated Press 2008), which kept the issue in the media. 2500 protesters gathered at the Sacramento Capitol, and other large protests occurred outside of religious institutions that had supported the measure to ban same-sex marriage (Associated Press 2008). Same-sex marriage was also supported in pride parades in many cities. In 2013, DOMA was ruled unconstitutional by the Supreme Court decision in *United States v. Windsor* (2016), which furthered the momentum of the pro-same-sex marriage movement.

4.8.5 Closure

In June 2015, the US Supreme Court decision in *Obergefell v. Hodges* recognized a constitutional right to same-sex marriage which applies to all 50 states. However, some states still have laws on the books that ban same-sex marriage and now seek to obstruct it in other ways. A month prior to the decision, a Gallup poll showed that 60% of respondents thought same-sex marriage should be legal (Gallup 2016). The tide had turned, and Justice Kennedy recognized that Americans had reached a new shared moral understanding. He wrote that “new insights and societal understandings can reveal unjustified inequality within our most fundamental institutions that once passed unnoticed and unchallenged” (Cole 2016, p. 92).

4.9 Community Building and Power Structures

When moral dialogues mature, they also serve as a major source of community building and nurturing. Communities are not merely places where people bond and have affection for one another, but they are also places where they have a shared moral culture, and share values from which specific norms are derived (Etzioni 1996). However, these moral cultures are continually challenged by technological, economic, and international developments among others. Moral dialogues serve to recast these cultures in response. These dialogues also serve to shore up as well as

revise the core values needed to prevent communities from disintegrating as a result of various factions pursuing their own subset of values.

Social scientists and social philosophers long worried that the social transformation that accompanied the industrial revolution, that entailed moving most people from villages, which were communities, into cities, in which people were “atomized,” caused people to lose their essential social moorings. The thesis is often referred to as a shift from *Gemeinschaft* to *Gesellschaft* (Tönnies 1887/1955). True, we since learned that one can find communities in industrial societies, for instance in ethnic neighborhoods such as Chinatown, Spanish Harlem, the Village, and in gated communities, in which many millions of Americans live (Blakely 2012). However, there is still considerable evidence that a large number of people are missing the social bonds that are essential for their flourishing, hence, the call for rebuilding communities. Moral dialogues are one major process for such a communitarian reconstruction.

Major liberal scholars hold that each person should define the good and the state should be morally neutral. Hence some suggested that the state should stop issuing marriage licenses altogether and leave the various religions’ functionaries and civic bodies to determine what marriage is. Moreover, liberals feared that even if the state remains morally neutral, as long as the society forms strong SMU, these will be embedded in laws (Gutmann 1985, p. 319).

In contrast, communitarians pointed out that social order requires a core of shared values. Some of the reasons have already been cited, regarding the need for much of the order to rest on voluntary compliance. Other reasons are that in order for various factions (that have different interests and different values) to be able to form shared public polices and to limit conflicts from turning into unresolved stand-offs if not violence, society needs a core of substantive values, as well as a belief in procedures to resolve differences. SMU are the process that can keep these essential core values intact, or allow them to adapt rather than unravel in times of change.

I refer to a set of “core” values because the difference between core and other values is crucial for several reasons. First, much attention has been paid in recent years to the polarization of American politics reflected in more and more people identifying themselves with either a conservative or a liberal position and fewer and fewer as somewhere in the middle—as well as a growing adamancy in the positions held by both camps. Polarization is viewed as a key reason the government is in gridlock and held in low regard by the overwhelming majority of the American people. From a communitarian viewpoint the main question is whether the polarization concerns secondary values and hence differences can be settled by appealing to core values—or is holistic, leading to irreconcilable differences. If the breakdown of moral consensus is holistic, either moral dialogues will fail to lead to SMU, or they will restore the needed consensus by leading to the formation of a new core of shared values.

The same difference is also highly relevant to the ways immigrants and minorities are treated. The US long recognized the value of diversity and pluralism, but holds that these are best bounded by a shared framework. This issue comes into sharp relief when the treatment of immigrants is debated. France seeks complete assimilation. In the US, some advocates called for bleaching out all traces of previous moral commitment to one’s country of origin and its culture. At the opposite

extreme, a British commission concluded that due to the diversity of the UK, the government should not promote a national identity (Parekh 2000). There are numerous intermediary positions. Particularly relevant for the discussion at hand is an approach that might be referred to as Diversity within Unity. It holds that there is no reason to oppose or see as threatening the social order if various members of society pray to different Gods, maintain distinct sub-cultures, and secondary loyalties to their country of origin—as long as their first loyalty is to their new country, they accept the democratic regime as the way to resolve differences, learn the nation’s language or languages (while, if they wish, maintaining their original one), and abide by the laws (but these laws ought to tolerate differences, say, in the ways animals are slaughtered and marriages are performed) (Etzioni 2007, pp. 186–92).

SMU serve to sort out which moral values fall into the diversity category and which into the unity one. Above all, they help to recast the whole framework when societal changes call for it to be recast. And SMU serve to sort out what are considered core values and what are diverse ones that enrich rather than threaten the social order.

A major subject that is not treated in this chapter because it requires its own major study is the role of power in structuring communications in general and moral dialogues in particular. It is sufficient to note that not all people have equal access to the media (e.g. the digital divide); the media is owned and managed in ways that favor some groups and viewpoints over others; and whether or not the results of dialogues are implemented is clearly affected by the prevailing power structure.

One should note, though, that moral dialogues differ in their relation to power from other communications and deliberations. I advance the hypothesis that in effect these dialogues favor those who otherwise are less privileged. As it stands, appealing to values is often the strongest societal change resource to which they have access. Indeed, a study of American history, I hypothesize, would show that major societal changes that came about—were the result of social movements in which the formation of new SMU played a key role. These include the movements that championed civil rights, women’s rights, the protection of the environment, gender equality, and the progressive movement. In all of these movements, moral dialogues played a key role. (All of these examples, to reiterate, are hypotheses yet to be studied.)

4.10 Relativism?

The term ‘moral’ implies that one approves of the act so judged. However, there is no a priori reason to hold that just because the overwhelming majority of the people of a given community come to a SMU, that the content of this understanding will be in line with what a particular person will consider moral. For example, the majority of Americans used to hold that separate but equal was a fair SMU (reflected in the 1896 Supreme Court decision in *Plessy v. Ferguson*). Another example is the Defense of Marriage Act, which held that for the purposes of federal law, marriage is between a man and a woman, as well as gave states the right to decide whether or

not to recognize same-sex marriages that had taken place outside their jurisdiction. Many will not find these SMU to be moral.

In short, moral dialogues are just that—dialogues about what the majority considers moral—not what is moral by some ethical theory or any theory of one’s standards. One must hence keep in mind that whatever SMU communities or societies or transnational bodies reach—which have all the functional merits I discussed earlier, such as making society more peaceful, functional and effective—they may nevertheless be immoral by your or my standards, the Bible, Kant, Rawls, utilitarianism, Aristotelianism, or virtue ethics. Those troubled by the substance of any SMU are hence called upon to continue to reexamine them and, if found objectionable, work to change the SMU through moral dialogues (Etzioni 2011, p. 105).

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