CONTENTS

Introduction 3

PART I CIVIL SOCIETY IN SOCIAL THEORY

- I Possibilities of Justice 13
- 2 Real Civil Societies: Dilemmas of Institutionalization
 23
 Civil Society I 24
 Civil Society II 26
 Return to Civil Society I? 29
 Toward Civil Society III 31
- 3 Bringing Democracy Back In:
 Realism, Morality, Solidarity 37
 Utopianism: The Fallacies of Twentieth-Century Evolutionism 38
 Realism: The Tradition of Thrasymachus 39
 Morality and Solidarity 42
 Complexity and Community 45

Cultural Codes and Democratic Communication 48

PART II STRUCTURES AND DYNAMICS OF THE CIVIL SPHERE

Pure and Impure in Civil Discourse 54
The Binary Structures of Motives 57
The Binary Structures of Relationships 58
The Binary Structures of Institutions 59
Civil Narratives of Good and Evil 60
Everyday Essentialism 62
The Conflict over Representation 64

Communicative Institutions:

Public Opinion, Mass Media, Polls, Associations 69

The Public and Its Opinion 71

The Mass Media 75

Fictional Media 75

Factual Media 80

Public Opinion Polls 85

Civil Associations 92

6 Regulative Institutions (1): Voting, Parties, Office 107
Civil Power: A New Approach to Democratic Politics 109
Revisiting Thrasymachus: The Instrumental Science of Politics 110

Constructing and Destructing Civil Power (1):

The Right to Vote and Disenfranchisement 114

Constructing and Destructing Civil Power (2):

Parties, Partisanship, and Election Campaigns 123 Civil Power in the State: Office as Regulating Institution 132

7 Regulative Institutions (2): The Civil Force of Law

The Democratic Possibilities of Law

151

Bracketing and Rediscovering the Civil Sphere:

The Warring Schools of Jurisprudence

157

The Civil Morality of Law

161

Constitutions as Civil Regulation 164
The Civil Life of Ordinary Law 169

Solidarity 172

CIVIL SOLIDARITY AND CONTRACT LAW 173

Individuality 178

Legalizing Social Exclusion: The Antidemocratic Face of Law 184

8 Contradictions: Uncivilizing Pressures and Civil Repair 193

Space: The Geography of Civil Society 196

Time: Civil Society as Historical Sedimentation 199

Function: The Destruction of Boundary Relations

and Their Repair 203

Forms of Boundary Relations:

Input, Intrusion, and Civil Repair 205

PART III SOCIAL MOVEMENTS IN THE CIVIL SPHERE

9 Social Movements as Civil Translations 213

The Classical Model 214

The Social Science of Social Movements (1):

Secularizing the Classical Model 217

The Social Science of Social Movements (2):

Inverting the Classical Model 221

The Social Science of Social Movements (3):

Updating the Classical Model 224

Displacing the Classical Model: Rehistoricizing the Cultural

and Institutional Context of Social Movements 228

Social Movements as Translations of Civil Societies 229

10 Gender and Civil Repair: The Long and Winding Road through M/otherhood 235

Justifying Gender Domination: Relations between

the Intimate and Civil Spheres 236

Women's Difference as Facilitating Input 237

Women's Difference as Destructive Intrusion 239
Gender Universalism and Civil Repair 241
The Compromise Formation of Public M/otherhood 243
Public Stage and Civil Sphere 250
Universalism versus Difference:
Feminist Fortunes in the Twentieth Century 253
The Ethical Limits of Care 259

and the Creation of a Black Civil Society 265
Racial Domination and Duality
in the Construction of American Civil Society 268
Duality and Counterpublics 275
The Conditions for Civil Repair:
Duality and the Construction of Black Civil Society 277
Duality and Translation: Toward the Civil Rights Movement 286

12 Race and Civil Repair (2): The Civil Rights

Movement and Communicative Solidarity 293

The Battle over Representation:

The Intrusion of Northern Communicative Institutions 296
Translation and Social Drama:

Emotional Identification and Symbolic Extension 303

The Montgomery Bus Boycott:

Martin Luther King and the Drama of Civil Repair 307

13 Race and Civil Repair (3): Civil Trauma and the Tightening Spiral of Communication and Regulation 317

Duality and Legal Repair 318

The Sit-In Movement: Initiating the Drama of Direct Action 323

The New Regulatory Context 333

The Freedom Rides: Communicative Outrage

and Regulatory Intervention 338

Failed Performance at Albany: Losing Control

over the Symbolic Code 344

Birmingham: Solidarity and the Triumph of Tragedy 347

14 Race and Civil Repair (4): Regulatory Reform and Ritualization 359

The First Regulatory Repair: From Birmingham to the Civil Rights Act of 1964 362

Regulatory Reform Enters the Communicative Domain:
The President's Declaration of Identification 362
Filling in the Symbolic and Institutional Space:

Ritual Mobilization and Legislative Action 366

The Second Regulatory Repair: Rewinding the Spiral of Communication and Regulation 370

Freedom Summer: Identification Becomes Concrete 371

Selma and Voting Rights: Ritualizing

the Communications-Regulation Spiral 376

The End of the Civil Rights Movement:

Institutionalization and Polarization 384

PART IV MODES OF INCORPORATION INTO THE CIVIL SPHERE

- Convergence between Radicals
 and Conservatives 397
 Recognition without Solidarity? 398
 Rethinking the Public Sphere: Fragmentation
 and Continuity 402
 Implications for Contemporary Debates 406
- The Plasticity of Common Identity 409
 Exclusionary Solidarity 411
 Forms of Out-Group Contact 411
 Nondemocratic Incorporation 413
 Internal Colonialism and the Civil Sphere 415
 Varieties of Incorporation and Resistance
 in Civil Societies 417

Closing Down the Civil Sphere 417 Opening Up the Civil Sphere 419	
	421
Stigmatized Persons and Their Qualities	

17 The Three Pathways to Incorporation 425

The Assimilative Mode of Incorporation 426

The Hyphenated Mode of Incorporation 431

The Exception of Race: Assimilation and Hyphenation Delayed 443

The Multicultural Mode of Incorporation 450

18 The Jewish Question: Anti-Semitism and the Failure of Assimilation 459

Jews and the Dilemmas of Assimilative Incorporation 461
Anti-Semitic Arguments for Jewish Incorporation: The Assimilative
Dilemma from the Perspective of the Core Group 466
Initial Jewish Arguments for Self-Change: The Assimilative Dilemma
from the Perspective of the Out-Group 471

The Post-Emancipation Period: Religious and Secular Modes
of Jewish Adaptation to the Dilemmas of Assimilation 477
Restructuring Organized Judaism 478
Religious Conversion 483
Secular Revolution 485

New Forms of Symbolic Reflection and Social Response
in the Fin de Siècle: The Dilemmas of Assimilation Intensify

Irony and Absurdity: New Religious

and Secular Literary Genres 180

and Secular Literary Genres 489

Zionism: The Effort to Withdraw from Western Civil Society 493

The Crisis of Anti-Semitic Assimilation in the Interwar Period:

Resolving the Dilemmas of Assimilation by Going Backward 495

Restrictions on Jewish Incorporation in the United States 496

Europe's "Final Solution" to the Jewish Question: Resolving the Dilemmas of Assimilation by Eliminating the Jews 500

19 Answering the Jewish Question in America: Before and After the Holocaust 503 Keeping Jewish Identity Private: Self-Change and the Utopian Project of Hyphenation 504

CONTENTS

The Dilemmas of Jewish Incorporation and

Communicative Institutions: Factual and Fictional Media 506

The Dilemmas of Jewish Incorporation

and Regulative Institutions: The Law 510

The Failure of the Project: Jewish Exclusion

from American Civil Society 511

Anticivil Exclusions from Education 512

Anticivil Exclusions from Economic Life 516

Just Fate or Dangerous Exclusion? 517

Responding to Nazism and Holocaust: America's Decision

to Be "With the Jews" 520

Beyond the Assimilative Dilemma: The Postwar

Project of Jewish Ethnicity 523

Making Jewish Identity Public: The Multicultural Mode

of Jewish Incorporation 530

Making the Good Jew "Bad": Phillip Roth's Confidence 533

The Universality of Jewish Difference:

Woody Allen as Cultural Icon 539

The Dialectic of Differentiation and Identification:

A Crisis in American Jewry? 543

20 Conclusion: Civil Society as a Project 549

Notes 555

Bibliography 723

Index 787