UDK 323.1
DOI https://doi.org/10.2298/FID2501063B
Original Scientific Article
Received 19.1.2025. Accepted 18.3.2025.

PHILOSOPHY AND SOCIETY
VOL. 36, NO. 1, 001–332

To cite text:
Belback, Daniel Joseph. 2025. "The Civil Sphere and its Resilient Tribalist Discontents: A Muslim Ban Cloaked in Sacralized Binaries." *Philosophy and Society* 36 (1): 63–98.

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THE CIVIL SPHERE AND ITS RESILIENT TRIBALIST DISCONTENTS: A MUSLIM BAN CLOAKED IN SACRALIZED BINARIES

ABSTRACT
This article explores how primordial, tribally rooted bonds become sacralized within the Civil Sphere (CS), challenging prevailing assumptions about the sphere's inertial universal horizon. Through a structuralist-hermeneutic analysis of communicative and regulatory institutions surrounding the Trump Administration's Muslim Ban (2017–2021), the study reveals how exclusionary, anti-civil policies become legitimized within ostensibly civil frameworks. Central to this dynamic is a paradox within the CS, wherein the discourse of liberty inherently justifies repression when targeted groups are represented as threats to democratic universality. This analysis demonstrates the persistence of a "tribal solidaristic horizon," rooted in primordial ties to blood, land, and religion, strategically mobilized through civil motives, relations, and institutions to narrow solidarity. The Muslim Ban initially faced fierce opposition, characterized by widespread protests and judicial scrutiny framed by civil binaries profaning the ban as un-American, anti-democratic, and unconstitutional. Subsequent iterations adapted strategically to these cultural binaries, gaining legitimacy through orderly, procedural implementation. This strategic civil rebranding exemplifies how primordial ties—grounded in race, place, and religious identity—continue to shape and constrain the civil sphere, facilitating democratic backsliding through the relativization and manipulation of civil motives, relations, and institutions. Ultimately, the study extends Civil Sphere Theory by underscoring vulnerabilities to relativization of core cultural binaries, highlighting that resilience in democratic societies requires critical recognition of how civil discourses themselves can be co-opted to legitimize exclusion. The Muslim Ban case thus reveals significant deficits in universalistic CS resilience, signaling vulnerability to sustained exclusion despite apparent civil repair.

KEYWORDS
Civil Sphere, tribalism, Muslim Ban, liberty, repression, relativization, backsliding, resilience, frontlash, backlash

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Introduction

This article examines the interplay between tribal solidarities and civil sphere (CS) dynamics through the lens of the Trump Administration's Muslim Ban, demonstrating how deeply rooted tribalist identities can reshape civil discourse. It argues that despite its universal aspirations, the CS remains vulnerable to strategic manipulation by actors employing civil language to justify exclusion. Initially met with intense opposition, protests, and judicial challenges framed within inclusive, pluralistic civil narratives, subsequent iterations of the Muslim Ban strategically adapted, conforming superficially to civil norms while maintaining exclusionary intent. This iterative process gradually normalized exclusion within the CS, highlighting significant deficits in its resilience against democratic backsliding. Ultimately, this study emphasizes the paradoxical nature of the civil sphere, where symbolic adherence to democratic ideals can mask—and even facilitate—the perpetuation of exclusionary practices, underscoring the need for vigilance against the relativization of civil discourse in the pursuit of genuine democratic solidarity.

The great success of Civil Sphere Theory (CST) is its ability to account for the contradictions and paradoxes built into civil society and by extension, society as such. The most important of these built in contradictions is that the CS is simultaneously striving to be a universalistic sphere of solidarity while also being rooted in socially constructed institutions beholden to primordial imperatives such as 'tradition' pushing for social stagnation—social inertia (Bourdieu 1984). These two poles are often thought to complement each other in a pendulum-like manner, with frontlash—the broadening of the universalistic horizon of solidarity—followed by backlash—the push to narrow the horizon of solidarity (Alexander 2019). This is to say that CST is adept at explaining social change and social stagnation because it attempts to account for both flux and stagnation. Recently, with the rise of populism and alt-right movements in the West and increasingly globally (Moffit 2016), there is a sense that CST is perhaps too optimistic in its outlook of an ever-broadening sphere of inclusivity or justice baked into the founding myths of the CS. Some even argue that the civil ingredients themselves—binary discursive norms—derived from western colonial societies, need to be switched out, meaning major novel CS construction over CS repair (Hammer 2020). Moreover, the optimism at the heart of CST, envisioning an ever-expanding horizon of solidarity, appears to be less certain given the widespread lurch to the right in global politics, often characterized by nativist sentiments.

One need not look very deeply to notice the rising tide of populism, nationalism, nativism, and alt-right movements permeating globally. These movements often evoke a collective sense of us versus them while flipping certain sacred binaries of the CS to justify exclusion (Alexander et al. 2021). Moreover, strong charismatic leaders, in classic populist style, claim to speak for, represent, and offer solutions to save a mistreated sacred and collective people (Laclau 2018). The argument is often grounded in notions like, "if this 'other'

group, that does not hold our inclusive values incorporates with 'us,' we will lose our collectively imagined good inclusive values".[1] This serves to justify exclusion by creating apparent contradictions within the CS logic along with inverted and hierarchized moral binary schemes. This is a story as old as time, yet it currently is playing out on a much more interconnected and global scale. The universal is tied to the particular and primordial, the tribal. The tribally minded collective associates and equates universal values with particular and essentialized identity constructs rooted in notions of blood (race), land (place) and religion (belief system) (Williams 2012). This is seen in representations of essentialized notions concerning belongingness in the polity.

There is no group more illustrative of these primordially based exclusive representations than Muslims. Throughout the last quarter century, Muslims have been constantly depicted as unaligned, in a values and morals sense, with the western world (Gerteis 2020; Bail 2015). Major events and their cultural representations have served to reify this understanding of Muslims as incapable of participation in and incompatible with the supposed and contradictory universal values of the West. Namely, events like 9/11, ongoing conflicts like the War on Terror, and the Israel Palestine conflict are all often utilized to portray and represent what Huntington once—wrongly and irresponsibly—called "The Clash of Civilizations" (1996)—two civilizations with incompatible values. This intense othering has culminated recently in the colloquially known Muslim Ban or Travel Ban Policy (2017-2021) and even more recently in the inaction of the U.S.—even with a Democrat in power—regarding the genocide occurring against the Palestinian people. Moreover, the same law utilized to restrict travel for the Muslim Ban was used by the Biden administration to deport migrants on the U.S. southern border.

How do such religiously and ethnically discriminatory policies come to be rationalized within the CS? What are these values that are held up as incompatible with the West? This work follows the sequence of events related to CS communicative and regulative institutions. This illuminates how the Muslim Ban Policy was culturally narrated and gives a sense of which incompatible values were established and rationalized within CS sacred binaries.

By following the sequence of events influencing and being influenced by the Muslim Ban iterations, one can observe different factions of the CS in action. Moreover, one can observe a variant of the societalization process (Alexander 2019) wherein, enough public outcry, news coverage, legal disputes and ultimately a code switch, occurred for there to be inter-institutional civil repair of the discursive elements of the Muslim Ban. However, materially, most of the Muslim Ban lived on until the start of the Biden Administration in 2021. This suggests that while the CS is adept at achieving representational and symbolic expansions of the horizon of solidarity, it might inadvertently, via civil repair processes, push for the casting of exclusionary policies within

1 See "Populism in the Civil Sphere" for more on this (Alexander, Sciortino, Kivisto, 2021).

CS sacred binaries. This appears to have occurred with the Muslim Ban policy, though time of course also mediates the relative level of public outcry around a given social problem.

This work illustrates a backslide—more to less inclusion—of the CS, particularly amongst Republicans who initially dismissed the Muslim Ban as anti-American and incompatible with religious freedom, yet later shifted, often representing the Muslim Ban as something necessary for national security. Of course, these types of whiplash pivots reminiscent of Orwellian doublethink are not at all uncommon amongst politicians. Yet, they are very illustrative of the moral retraction of the horizon of solidarity, especially given that the issue revolves around stopping a particular religious group from entering the country, thus constricting religious freedom, something often deemed central and sacred to American life.

The *de jure* Travel Ban or initially executive order 13769, was implemented in the U.S. during the first week of Donald Trump's presidency in 2017, effectively banning entry to people from seven Muslim majority countries (ACLU 2020), a *de facto* Muslim Ban. Initially, it sparked three days of protests at airports across the nation (ACLU 2017). Three more varying iterations of the ban would follow. Initially, it restricted travel from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen—all predominantly Muslim countries. Later iterations varied but remained largely focused on Muslim majority countries.

During this time frame, massive protests at airports erupted, legal disputes ran rampant, and media coverage of the Ban was highly polarized around political party lines. However, it has been demonstrated that a massive opinion shift also took place, wherein "an influx of new information portraying the "Muslim Ban" at odds with inclusive elements of American identity prompted some citizens to shift their attitudes" (Collingwood et al 2018)—a code switch. The result was a tumultuous battle over the meanings surrounding the ban. The Supreme Court eventually upheld the ban, but only after various iterations became increasingly represented in the sacralizing language of the CS. The Ban was eventually stopped during the first week of the Biden administration in January 2021. **Figure 1.** below gives a brief timeline of major events.

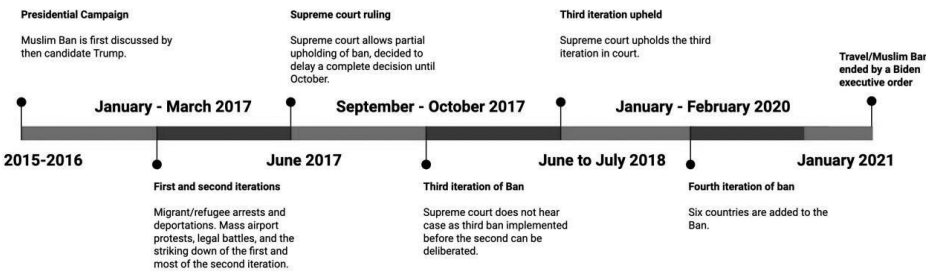

Figure 1.

Civil Sphere Theory

Civil Sphere Theory (CST) posits that certain cultural structures—such as rationality, honesty, altruism, cooperation, autonomy, and liberty—are integral to democratic discourse. The CS is conceptualized as an autonomous societal sphere composed of a distinct linguistic culture. These qualities are not only ideals but also require manifestation through symbolic performances and the support of communicative and regulative institutions (Alexander 2006; Alexander 2020). The CS's effectiveness depends on a compelling, emotionally resonant, and morally universalizing sphere of solidarity. This solidarity ensures the maintenance of essential democratic institutions by branding actions incongruent with sacred civil discourse, such as the Muslim Ban, a threat to democracy and thus anti-civil. The CS, characterized by a binary linguistic culture, sacralizes what it deems democratic and profanes what it views as anti-democratic.

This process occurs via a democratic culture of civil relations that influences actors' civil motives, and the institutions inhabited by the same actors and culture, "combining collective and individual motivations" (Alexander 2006: 38). Democratic discourse sacralizes actors and institutions who are deemed autonomous, rational, reasonable, calm, self-controlled, realistic, and sane, defining these as pertinent civil motives. Actors discursively defined as displaying passivity, dependence, irrationality, hysteria, excitability, passion, distortion, and madness are condemned as incapable of democratic participation and therefore anti-civil, worthy of exclusion (57). This dynamic helps to differentiate between behaviors and actions aligned with democratic values and those deemed a threat to them. The discourse permeates across the American political spectrum with different actors contentiously engaged in battles over what is civil and what is anti-civil, democratic and anti-democratic, and ultimately pure or impure—a never achieved yet always attempted struggle to define the solidaristic horizon through the civil symbolic code (55).

Similarly, relations are also defined along civil and anti-civil lines. "Democratically motivated persons" are defined as capable of openness over secrecy, trust over suspicion, criticality over deference, honorableness over self-interestedness, altruism over greed, truthfulness over deceit, straightforwardness over calculating, deliberative over conspiratorial, and friendly over antagonistic (58). Further, political and legal institutions are structured around civil and anti-civil binaries that stem from lower-level motives and relations. If comprised of civil relations and motives, civil institutions are rule regulated rather than arbitrary, subject to law rather than power, equal rather than hierarchical, inclusive rather than exclusive, impersonal rather than personal, contractual rather than based in bonds of loyalty, group based rather than factionally based and governed by office obligations over personalities (59). Across this cultural configuration and between the discursive levels of motives, relations and institutions, elements from the civil and anti-civil binary are incompatible (59), within each lies the symbolic elements for common democratic cultural myths on the discourses of liberty and repression, respectively.

The CS's ideals are thought to be utopian, focused on the achievement of democratic integrity, yet these ideals are never fully realized in practice. This creates a paradox where the abstract promotion of democracy contrasts with the imperfect enactment of these values (Alexander 2019a). The horizon of solidarity, which defines the scope of inclusivity within the civil sphere, is not fixed but rather fluctuates based on societal conditions and responses, such as frontlash and backlash. The tribal qualities within the civil sphere, characterized by exclusionary practices and a narrowed focus on in-group identities, often lead to a contraction of this horizon. Communicative institutions like the New York Times, Wall Street Journal, and other major news networks play a crucial role in shaping public discourse and opinion by providing platforms for democratic engagement and critique (Alexander 2019b) constituting the means of symbolic production.

The CS identifies and condemns anti-democratic qualities, such as deceit, hysteria, and inequality (Alexander 2019b). The regulation and interpretation of public discourse through voting, electoral competition, and the rule of law are essential mechanisms for maintaining the CS's integrity. These mechanisms ensure that the CS can adapt and respond to changing societal dynamics, thus promoting a continuous redefinition and expansion or contraction of the horizon of solidarity. The CS functions as a kind of engine for promoting differing notions of democracy as it remains subject to constant flux and redefinition (Alexander 2006; Alexander and Smith 1993).

Tribal and Primordial Qualities

While the Civil Sphere is often touted for its universal solidaristic tendencies, there is in fact a deep seated primordial tribalistic glue bonding the CS together. This glue is rooted in meanings and representations centered around essentialized conceptions of blood, land, and religion (Williams 2012). Moreover, these bonds have deep historical roots that grew out of colonial undertakings that often sought to other and demarcate difference along the lines of race (blood), land (place), and religion (belief) (Hammer 2020; Williams 2012).

In modern societies, primordial ties can create both solidarity within groups and tension between groups, especially when such identities clash with broader societal norms or democratic values (Shils 1957). Throughout the theorization of the CS, there is a clear recognition of its primordial underpinnings (Alexander 2006). There is a continuous emphasis on the paradox built into the sphere's discourse, namely that the discourse of liberty also implies the discourse of repression (66). This paradox at the very center of the CS creates tensions that then permeate throughout. This is not a problem theoretically, per se. This tension is the engine of change that overcomes previous structural functionalist theories like the Societal Community (Parsons 2011). Society needs community solidarity, yet this community needs to be "articulated in a manner that allows its symbols and norms to include every group that is functionally involved in, or organizationally subject to, the values and institutions

of the social system" (Alexander 2005: 97). Community solidarity does not imply inclusive integration or justice. With CST, there is an attempt to more adeptly account for this tension between solidarity and justice.

To overcome this, Alexander notes, "CST conceptualizes a dynamic situation of punctuated equilibrium and de-civilizing breakdown, modeling a world filled with contingencies and strains that belies the normative idea of steady state" (2016: 75). This fractured view of the social allows for a less strict values-based interpretation, opening up a contentious group-based approach centered around symbolic meaning, allowing for concomitant understanding of both solidarity and integration.

A theory of the social world therefore must be rooted in flux, change and tension, any explanation without such a basis would function as a heuristic devoid of any practical foundation. Moreover, a theory of democratic process without an underlying change fulcrum would describe a static authoritarian-like system. Change and its explanation therefore must sit firmly at the center of democratic theory. The CS is thought to be this concrete mechanism mediating between progress and tradition, fostering a morally structured binary schematized relativism, focused on justice-based solidarity.

Yet, where Alexander critiques Parsons for over prioritizing solidarity (see Alexander 2005), it seems that Alexander overprioritizes his theorization of justice, neglecting the often primordially rooted solidary bonds of community, giving way to a theory that accounts for social exclusivity mainly via the mechanism of justice.

The concept of "tribal qualities" within the CS denotes the usage of rhetoric and representations of civil discourse to advance primordially based exclusionary notions of democracy. This practice, marked by its emphasis on protecting a narrowly defined in-group identity, leverages democratic language to legitimize exclusionary practices.[2] There is a growing recognition in fields like anthropology and evolutionary psychology that humans tend toward in-group tribal sentiments (Clark et al. 2019). Williams (2012) describes these tribal qualities as being centered on notions of "American blood and land," aligning with what he deems the "Tribal American Civil Religion." This subgroup often sacralizes a homogeneous national identity, primarily white, Christian, and American, while portraying outgroups—such as nonwhites, non-Christians, and nonnationals—as existential threats to democracy (Williams 2012; Alexander, Kivisto, and Sciortino 2021).

By utilizing nostalgic and folkloric narratives, as noted by Enroth (2021), the tribal qualities within the civil sphere aim to consolidate power within a

2 "The influence of racial prejudice in contemporary U.S. society is typically manifested in subtle, indirect forms of bias. Due to prevailing norms of equality, most Whites attempt to avoid appearing biased in their evaluations of Blacks, in part because of a genuine desire to live up to their egalitarian standards, but also because of concern regarding social censure. As a consequence, Whites' prejudice is more likely to be expressed in discriminatory responses when these actions can be justified by other factors" (Heman et al. 2011).

restricted community, often invoking and representing a collective memory that idealizes an essentialized monolithic national past. It has been suggested that localized customs and norms or what has been deemed the "folkloric civil sphere" can contribute to the universalism of the civil sphere (Shoham 2022). However, as numerous scholars have noted, collective memories surrounding what it means to inhabit a given identity are often portrayed in primordial terms to reinforce populist narratives concerned with defining what it means to be a people, in effect particularizing solidarity (Enroth 2021).

These tribal qualities are manifested in what has been termed the "pseudo-civil sphere" (Leungo and Malgorzata 2021), a domain where the facade of civility and democratic engagement masks an underlying agenda of exclusion. This faction manipulates CS's language and symbols to advance a vision of society that is fundamentally exclusionary, often cloaking its intentions in the guise of protecting civil values and achieving justice for a specific in-group. This phenomenon is particularly evident in the inversion of CS's symbolic binaries, where what is traditionally considered inclusive and democratic is profaned, while exclusionary and nationalist sentiments are sacralized (Alexander 2019). Such dynamics highlight the tribal qualities' opposition to what is often denoted as the CS's core principle of broadening the horizon of solidarity (Alexander 2006: 61). Instead, such sentiments seek to narrow this horizon, reinforcing a rigid and exclusive collective identity that stands in stark contrast to inclusive ideals. This tension between the inclusive and tribal qualities within the civil sphere poses a significant challenge to the maintenance of a truly democratic and inclusive society.

Hammer critiques CST for its inability to fully address colonial legacies and the constructed nature of civil categories (2020). He argues that the codes of civility and justice are historically rooted in colonial domination, limiting true solidarity to superficial "civil repair" rather than transformative "civil construction." This dynamic is thought to have been historically constructed by casting the CS's undesirable traits onto the "colonial other," reinforcing exclusionary binaries. Hammer contends that without radically rethinking these foundational processes, CST remains constrained by its exclusionary nature, rooted in colonial underpinnings.

One can also observe intense in-group dynamics at the network and interactionist level. Social networks tend toward homophily, fostering divides along lines of race, ethnicity, religion, and geography, which homogenize information and attitudes (McPherson et al. 2001). While weak ties are thought to provide novel information (Granovetter 1973), strong ties may increase information flow efficiency (Aral and Van Alstyne 2011). This tendency also seems to reinforce primordial bonds. Interactionists and phenomenologists note the sacrality of interaction rituals, requiring shared sociocultural scripts to maintain flow (Goffman 1967). Misunderstandings arise when these scripts clash, often driven by presuppositions (Collins 2004). Groups continuously categorize sameness and difference as they expand, reflecting relational and socially rooted categories (Schmaus 2004; Geertz 1973). This expansion, tied to

broader social processes, grows shared identities but remains spatially rooted in constructs like the nation-state (Anderson 1983) or "the West" (Said 1978). The West's values, constructed in opposition to the East or colonized spaces, raise questions about whether the CS expands solidarity or merely entrenches a Western hegemonic value system (Said 1978; Hammer 2020).

A Constructed Ultimate Other?

In American society, the othering of Muslims is a multifaceted phenomenon that involves cultural exclusion on religious, racial, and civic grounds. Research from 2020 suggests that nearly half of Americans harbor some form of anti-Muslim sentiment, as evidenced by nationally representative survey data that specifically measures attitudes toward Muslims and other groups (Gerteis et al. 2020). Moreover, numerous scholars have found that a large proportion of the U.S. holds Muslims in a negative light (Lajevardi et al. 2020; Mogahed et al. 2018). This widespread sentiment underscores the perception of Muslims as outsiders in multiple dimensions. Kaufman (2019) further elaborates on this dynamic, noting that in interviews conducted in 2015, respondents constructed Muslims as both foreign and familiar. While Muslims are rooted in the familiar racial stratification of American society, they are simultaneously viewed as alien due to a perception of a distinct cultural and ideological identity. This dual characterization exacerbates the criminalization of Muslims, positioning them as a perceived threat and reinforcing their marginalization within the social fabric of the United States. Muslims are systematically othered, facing exclusion and suspicion that pervades both public opinion and institutional practices (Bail 2015).

Scholars note how the Trump Administration strategically framed Muslims as incompatible with American identity. Braunstein (2019) articulates this process by describing how Muslims have been labeled as "non-American (outsiders), anti-American (enemies), and un-American (others)."[3] This characterization served to construct Muslims as anti-civil threats, justifying a boundary to protect the "blood and land" of a particular and exclusive typification of Americanness (Williams 2012). The narrative underscores the tribally rooted perception of a civil religious connection among religion, race, and national identity, historically conflated with and reproduced via backlash movements.

This rhetorical strategy aimed to reassert these exclusive identities at the core of American national consciousness, portraying Muslims as a threat to the civil whole due to their perceived particularism. The Trump Administration's framing sought to reinforce a vision of Islam that was explicitly non-universalist and exclusionary. This approach not only marginalized Muslims but also reinforced a narrow, exclusionary definition of Americanness, aligning national

3 "[A] subtler civic logic is also at work in efforts to frame religious minorities as uncivil threats to American values and norms, including religious freedom itself" (Braunstein 2019).

identity with specific racial, religious, and ethnic markers.[4] Recent scholarship has found that the more salient one's American identity, the more likely one will support curbing the civil liberties of Muslims (Nazita et al. 2024).

Moreover, scholars have demonstrated how the marginalization of Muslims in American society grew over time. Events such as 9/11 and cultural production related to the following War on Terror served to unjustly other Muslims further in American society. In "Terrified: How Anti-Muslim Fringe Organizations Became Mainstream," Bail maps the rise of anti-Muslim fringe groups into the mainstream of American society (2015). This process included the expansion of think tanks, civil society organizations, news outlets, and funding for anti-Muslim organizations. These organizations gained credibility and increased resonance with the wider American population via intense emotional and fear based representational attacks against Muslims, while moving from the fringe (low resonance) to the mainstream (high resonance) (2015). Moreover, negative representations of Mosque building in the West (Bowe 2018), Birther myths about President Obama (Braunstein 2019), 9/11 and the subsequent War on Terror (Smith 2005), all served to significantly other Muslims in the West, with this process particularly noticeable in American society.

Media Effects, Cultural Resonance, and the Dynamics of Fusion and Defusion

Agenda-setting theory posits that media shape public perceptions by determining which issues receive attention and how they are framed (Guo, Vu, & McCombs, 2012). While media do not dictate public opinion outright, they establish issue salience, directing public concern toward particular topics and influencing collective interpretations (Guo, Vu, & McCombs, 2012). First-level agenda-setting highlights which issues become central in public discourse, while second-level agenda-setting examines how these issues are framed to evoke specific emotional and cognitive responses (Tewksbury & Scheufele, 2019). However, the extent to which media narratives effectively shape public opinion depends not only on visibility but also on how well they align with preexisting cultural frameworks—a dynamic best understood through Bail's (2016) theory of cultural resonance and Alexander's (2004) conception of fusion and defusion.

Cultural resonance explains why certain narratives gain traction while others fail to mobilize public concern. According to Bail (2016), resonance depends on three key factors: credibility (the perceived legitimacy of the message and messenger), legibility (the extent to which a message aligns with existing schemas and cultural codes), and emotional significance (the strength of affective

4 Williams writes, "[o]ur national political culture, in general, became more hostile to Islam over the decade following 2001—with a clear result that for many Americans there is now a more distinct religious 'other'" (Williams 2012). Similarly, Bail (2015) outlines a similar phenomenon, showing the ascendance of fringe anti-Muslim organizations into the "mainstream of American culture.

engagement). Similarly, Alexander's (2004) theory of fusion and defusion describes the processes by which cultural objects—such as media narratives, social movements, or political claims—become powerfully embedded within collective identity (fusion) or lose their legitimacy and salience (defusion). When a message is fused, it is symbolically and emotionally integrated into a shared moral structure, making it resonate deeply with the public. Conversely, defusion occurs when a message becomes disconnected from and fractured within differing collective meanings, leading to disengagement, or loss of mobilization and polarization.

By integrating these two frameworks, we can understand how agenda-setting and framing succeed or fail in shaping public opinion. Media frames that align with widely held cultural narratives—particularly those that are already fused with national or moral identity—are more likely to resonate and influence public discourse. However, when competing narratives challenge or erode the symbolic power of an issue, defusion occurs, leading to declining public engagement or polarization. For example, a protest movement may initially achieve fusion by connecting its message to foundational democratic values, but over time, counter-framing by political elites or shifts in public fatigue may lead to defusion, reducing its effectiveness as a mobilizing force.

Methods

This study employs a qualitative approach, analyzing the societalization process of the Muslim Ban through structuralist hermeneutics and thick description, with Civil Sphere Theory (CST) as the guiding theoretical framework. The work proceeds in the spirit of Robert Park's scientific journalism by focusing on empirical observation and systematic analysis of social phenomena, while serving as a bridge between sociology and public discourse (1924). The research traces the evolution of public narratives, protests, and judicial decisions surrounding the policy, focusing on how the Ban was rebranded and integrated into the American civil sphere.

Sampling and Data Collection

The primary sources of data are articles from *The New York Times* (NYT) and *The Wall Street Journal* (WSJ), supplemented by other centrist media outlets such as The Guardian, Politico, USA Today, and The Hill. These sources were selected purposefully to capture key moments in the policy's lifespan. The NYT and WSJ were chosen due to their prominent roles as professionalized news institutions that influence public opinion and hold substantial sway within the American civil sphere. They are considered representative of civil sphere communicative institutions, each embodying distinct ideological perspectives but with significant overlap in coverage (Alexander 2011). The NYT archives were scanned in their entirety from 2015-2020. The WSJ archives were scanned systematically after the NYT search process. The search included looking for

key words in titles such as Muslim ban, travel ban, Muslims, travel, ban, refugees, immigration, immigrants, airport protests, executive order, birther, Islamophobic, and Islamophobia. After this, these key words were also searched for in the archives to ensure no articles were missed. From here, the articles were read and grouped by time period in excel, as most articles were clustered around ban iterations, protests, and judicial decisions. Purposeful sampling in these high-intensity periods from 2015 to 2020 was then used to gather more articles from sources such as The Guardian, Politico, USA Today, and The Hill. These sources are all centrist or slightly left leaning, typical communicative institutions of the CS. Adding these sources helped broaden the scope of sources analyzed, while retaining a degree of similarity across sources. It also allowed for the cross verification of source content. Importantly and as a limitation, no right-wing news sources are analyzed, though work from Bail (2015) is leaned upon to establish the rise of repression based and exclusionary cultural producers moving into the mainstream and more firmly into the CS itself.

A total of 92 articles were analyzed (N=92). Google Analytics data from research conducted by Collingwood, Oskooii and colleagues in 2018 and 2019 is used to highlight and confirm periods of intense online activity in relation to the Ban. The Google Analytics data confirms major upticks in searches for the ban in time periods surrounding events related to the ban. It also confirmed waning online activity in relation to the ban over time and in relation to each subsequent iteration. Google Analytics data mapping the frequency of searches for given key words like "Travel Ban" or "Muslim Ban," in conjunction with the mapping of judicial decisions, ban iteration implementations, and protests allowed for the triangulation of key moments surrounding the ban. Oskooii et al. similarly show ebbs and flows in the proportion of negative (anti-ban), balanced/informational, and positive (pro-ban) articles, along with the proportion of monthly articles, from the NYT, WSJ, and USA Today, pertaining to the ban, from January to December of 2017 (2019). They show clear upticks in negative anti-ban articles, balanced/informational articles, and the number of monthly articles, while finding a very small proportion of positive pro-ban articles. Upticks revolved around introductions of new ban iterations. Having such a broad media trend understanding from other authors allowed for closer inspection of specific contextual instances while still ensuring the instances were more broadly generalizable to the greater CS and social world. In conjunction with this, significant legal and policy milestones and major public reactions, such as protests and Supreme Court rulings were mapped via sources such as the ACLU, in conjunction with representations from communicative institutions, to outline unsettled/unsteady societal states (Swidler 1986; Alexander 2019).

This study did not engage with social media, except for a couple of Tweets quoted in news articles, and instead focused on more traditional online news sources. While this is a limitation, the use of google analytics data helps illustrate larger online trends and interest in the Ban in the form of searching. The use of public opinion polling data also elucidated broader perceptions of the ban over time.

Structuralist Hermeneutics, Binary Coding, and Thick Description

Structuralist hermeneutics guides the textual analysis of news coverage, treating articles as cultural texts embedded with patterned symbols and codes, seen most vividly in the highly structured binary civil discourse. This approach, based on Alexander and Smith's (2003) strong program, allows for the identification of deep cultural structures, civil religious myths and narratives, sacralized and utilized within civil discourse. The analysis moves beyond the literal content of the articles, aiming to uncover the symbolic meanings and binaries reminiscent of Durkheim's sacred/profane (2001) in the form of civil/anti-civil codes (Alexander 2006) that shape public perception of the ban. This method reveals how the Muslim Ban was initially framed as profane and un-American but later cloaked in civil language through a process of rebranding into a "Travel Ban."

Geertzian thick description complements the structuralist approach by offering a deep interpretation of cultural symbols and narratives within the coverage. Moreover, it allows for the contextualization of code usage by given actors, their relations, and their institutions. Thick description here involves interpreting the layered social meanings behind public reactions and policy representations, seeking to identify the structured "codes, narratives, and symbols that create the textured webs of social meaning" (Geertz 2000). This method is particularly useful for capturing the shift in public discourse from the initial profaning of the Muslim Ban to its eventual sacralization within civil sphere binaries.

Using CST, the study establishes a binary coding system based on civil/anti-civil distinctions and characterizations such as, democratic/anti-democratic, civic/ethnic, universal/particular, justice/injustice, unity/division, inclusive/exclusive, American/un-American, tolerant/intolerant, altruistic/selfish, freedom/oppression, opportunity/prejudice, protest/passivity, multiculturalism/ethnocentrism, bravery/cowardice, true/false, collective/individual, knowledge/ignorance, constitutional/unconstitutional, order/chaos, legal/illegal—for the specific structuring, see section on CST. These codes are derived from CST's emphasis on civil versus anti-civil dynamics and adapted through abductive coding (theoretically and inductively derived from media sources) to reflect the specific moralizing discursive structures surrounding the Muslim Ban.

Societalization

This coding system allowed the identification of shifts in the civil sphere's treatment of the policy, revealing the societalization process (Alexander 2019) whereby the Muslim Ban moved through phases of intense public outcry, legal battles, and rebranding efforts until it gained a semblance of legitimacy within a steady state. The process is outlined below in **Figure 2.**

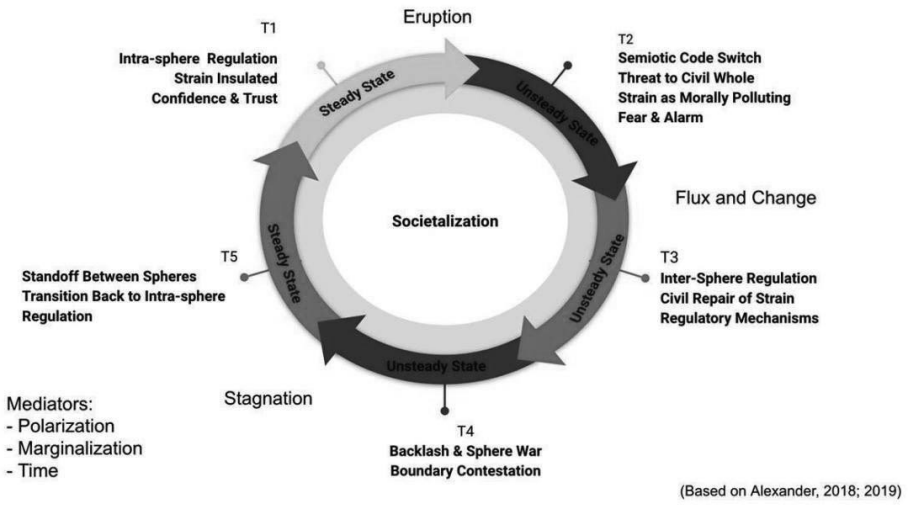

Figure 2.

This methodology provides a systematic way to trace the embedded tribal sentiments strategically employed and cloaked in civil language to legitimize the policy. By uncovering the framing as explicitly civil yet implicitly anti-civil, one can more clearly deduce how the policy discursively became sacralized within the CS while materially remaining exclusionary. The mapping of this process helps to elucidate a form of civil repair rooted in repression over liberty. By examining shifts in the use of binary coding to represent actors' motives, relations and broader institutions over different timeframes and iterations of the ban, the study reveals how exclusionary policies can navigate civil sphere dynamics, ultimately gaining legal validation while challenging the core ideals of inclusivity and solidarity within democratic society.

Narrating the Muslim Ban Iterations

The rise of Donald Trump to the presidency marked the culmination of a backlash process within the CS that sought to reclaim and redefine Americanness tribally, seen most vividly in exclusive and anti-pluralist rhetoric. This process clashed with inclusive parts of the CS, focused on justice, prioritizing exclusivity. During Trump's first campaign and presidency, his rhetoric further polarized the political sphere and undermined the civil sphere's cultural regulators. Trump initially proposed a "Muslim Ban" on the campaign trail, yet the policy was eventually reframed and launched officially as a "Travel Ban," ostensibly to align with civil sphere binaries and cultural structures embedded into the American collective conscience, like "religious freedom." Yet it had a disproportionate impact on Muslim-majority countries, exposing its de facto exclusivity (Braunstein 2019) while largely being recognized as a Muslim Ban across the political spectrum, for different reasons.

Trump's presidency further strained these cultural regulators as his administration sought to redefine norms of civility and inclusivity. His rejection of political correctness, paired with rhetoric like wiping "radical Islamic terrorism ... off the face of the earth" (Goldmacher 2017), framed inclusive values as out of touch with reality. Moreover, his insistence on tying terrorism to "radical Islam" furthered discourses rooted in protecting white Christian Americans from othered marginalized groups. At the start of Trump's first presidency, protests erupted nationwide, notably the Women's March—one of the largest protests in history—signaling a backlash against what many perceived as an "anti-civil" presidency. The belief that Trump's administration, or "the adults in the room," would moderate his behavior proved misplaced as the civil sphere's regulating structures faltered, and previously fringe ideologies came further into the mainstream, eroding shared norms of acceptability and civility in American political discourse.

Bipartisan Uncertainty Over the Proposed Muslim Ban as Anti-civil and Un-American

During Donald Trump's call for a Muslim Ban during the 2015-2016 campaign, even prominent Republican leaders expressed concerns about its alignment with what they saw as sacred American traditions of religious pluralism and inclusivity. Paul Ryan, then Speaker of the House, told *USA Today*, "[p]utting a religious test on anybody coming to this country is wrong ... We ought to have a security test, not a religious test. That's who we are" (Page 2016). Here, Ryan emphasized that America's identity is rooted in inclusivity and attacked the morality of any religious test, calling it "wrong." Here, he is implicitly invoking the cultural structure of the Constitution and the First Amendment in particular, noting that religious pluralism is a defining feature of Americanness, "that's who we are." Categorizing the proposed "religious test" as "wrong" and counter to a collective American identity served to represent the policy as anti-civil and rooted power over the law, arbitrary rather than rule regulated, faction based rather than group based, all the discourse of repression. Moreover, Ryan here represents his motives as civil by being active rather than passive, autonomous—against his party's president—rather than dependent. Relationally, Ryan performs openness, truthfulness, and criticality, aligning himself within a liberty based civil discourse.

Mitt Romney echoed Ryan's sentiments, tweeting, "On Muslims, @realDonaldTrump fired before aiming...@SpeakerRyan is on target" (McCarthy et al. 2015). Romney's comment in support of Ryan references a common American trope and relates Trump's actions to firing a gun irrationally, wildly, and excitedly, to represent Trump's anti-civil motives and move toward anti-civil institutions focused on bonds of loyalty, hierarchy, arbitrariness, and power. Similarly, *The Guardian* noted widespread Republican criticism, with figures like Republican National Committee chairman Reince Priebus and former

Vice President Dick Cheney denouncing the proposal as un-American. Cheney stated, "this whole notion that somehow we need to say no more Muslims and just ban a whole religion goes against everything we stand for and believe in... religious freedom's been a very important part of our history" (McCarthy et al. 2015). Cheney references the centrality and sacrality of religious freedom in an imagined American collective identity, further representing the policy in the realm of the anti-civil. Moreover, by repeating "our" and "we" he can further represent the ban as something distorted and deceitful, "against everything we stand for and believe in," and thus in the name of particular factions instead of a broader collectivity, anti-civil.

Priebus reinforced this view, stating, "We need to aggressively take on radical Islamic terrorism but not at the expense of our American values" (McCarthy et al., 2015). Marco Rubio also condemned Trump's plan, calling it "impulsive" and "not well thought out"—not self-controlled—adding, "It violates the Constitution. It places a religious test, and it isn't the best way to face this threat" (McCarthy et al. 2015). Rubio's critique framed the policy as unconstitutional, chaotic, and ignorant, reiterating the cultural and legal objections raised by other Republicans. Both officials heavily critiqued the ban as anti-civil while also making clear they believed there was a "threat." This performed "reasonableness" while also raising the alarm that sacred American values—cultural structures—were under threat if the policy proceeded, further raising the alarm that democracy itself was under threat.

Despite this bipartisan condemnation,[5] Trump's rhetoric resonated with much of the Republican base. Trump rejected these critiques by labelling them as 'politically correct,' but not 'correct,' declaring, "But. I. Don't. Care" (McCarthy et al. 2015) about political correctness. In this way, he could explicitly reject the structuring language and code of the civil sphere. This allowed him to present himself as distinct, unfiltered, and speaking for the people against elites—in a classic populist and charismatic style—a champion chosen by "the people" to disrupt established institutions and norms (Weber 1958). This resonated with a public influenced by growing polarization and a backdrop of anti-Muslim fringe civil society organizations (Bail 2015), who were declaring that the security of the collective was being sacrificed by unrealistic, irrational, passive, actors who themselves were deferential and deceitful—not critical or truthful about a "real threat" from outsiders, Muslims—thus creating institutions rooted in power, exclusivity, and hierarchy that were unable to identify threats to the polity. Trump thus represented his "personal" motives as active, autonomous, reasonable, and realistic, while characterizing political correctness as mad and dependent. In this way, he was able to represent his plan as civil. At the same time, he presented his personal plan as a necessary anti-civil

5 Democrats at this time were also furiously condemning the Ban. I included Republican establishment members' critiques to showcase how the CS discourse at this time was relatively united—not polarized—in condemning the ban.

diversion in the name of a collective good to protect the blood, land and religion of the U.S., the tribal solidaristic horizon.

While Republicans aimed to distance themselves from Trump's explicit rhetoric, their civilly coded language often mirrored similar exclusionary policies. Trump's approach underscored a growing backslide of inclusion-based norms within the CS, further polarizing political discourse and challenging CS cultural regulators that once unified political adversaries under a shared discursive commitment to perceived "American values" via "frenemy" status, seen in cross cutting group ties, the *sine qua non* of democratic politics (Sciortino 2021; Polletta 2016; Parsons, Sciortino & Alexander 2021; Alexander 2006). This indicates a major CS resilience problem.

The Travel Ban as a De Facto Muslim Ban

By the time Trump signed the Travel Ban (Executive Order 13769) in January 2017, he had effectively further polarized the political sphere, undermining the civil sphere's ability to exert inter-sphere regulatory power. Trump had campaigned on a promise to institute a Muslim Ban, yet his administration strategically named it the Travel Ban, framing it as a measure of commonsense "safety" and "security" against an evil threat "radical Islamic Terrorism." This reframing sought to align the policy with civil narratives while obscuring its repressive intent. Yet, State Department data reported by *The Washington Post* shows that visa issuances to majority-Muslim countries targeted by the ban plummeted from 1,419 the month before the ban to just 69 in its first month. Meanwhile, issuances to Venezuela and North Korea—non-Muslim-majority countries included in the ban—remained stable. These figures help confirm the Travel Ban's *de facto* targeting of Muslims, despite the administration's public insistence that it was not a "Muslim Ban" (Burke 2017).

The Travel Ban's rollout sparked immediate public outcry. Protests erupted at airports nationwide, with chants of "No Ban, No Wall" and the hashtag #nobannowall trending across social media. The protests represented a larger societal mobilization, invoking the CS's inclusive cultural structures to contest the manifestation of a policy deemed antithetical to American values. Public opinion shifted significantly: opposition to the ban increased from 44% pre-implementation to 51% immediately post-implementation (Collingwood et al. 2018). This seems to be indicative of a code switch around meanings assigned to the ban as it happened very quickly, intensely, and after intense protests. Media coverage further amplified this public opposition. Major outlets such as The New York Times, The Washington Post, The Wall Street Journal and USA Today overwhelmingly framed the ban in negative terms (Oskooii et al. 2019). Moreover, major corporate institutions often silent on such issues, including Starbucks, Google, Microsoft, Amazon, Airbnb, Expedia and Lyft condemned the policy, framing it in anti-civil terms as exclusive and arbitrary. Such public outcry, protests, public opinion shifts, communicative institution condemnation, and major corporate backlash, is all indicative of a move into

the unsteady societal state, and thus a codeswitch from civil to anti-civil meanings. Polarization and marginalization are often credited with halting the societalization process, however, widespread condemnation occurred, meaning the possibility for civil repair opened.

Thick Description of Legality as Dictated by Universal Moral Cultural Structures

The legality of the *de jure* Travel Ban, but *de facto* Muslim Ban, was immediately contested in court. As Alexander notes, "the civil sphere sustains powerful regulative institutions as well: the complex apparatuses of law, office, and elections apply sanctions that are backed through state coercion and make cultural evaluations stick" (2019). Law, in this sense, is deeply intertwined with culture; as public pressure builds against what are deemed unjust laws, they are often overturned to address societal strains. The Travel Ban's lawfulness was questioned both in the courts and in the broader public sphere, where communicative institutions paired opposition with inclusive notions of Americanness rooted in sacred depictions of pluralism. By framing the ban as fundamentally anti-American, these institutions sought to represent moral universals to shift public perception.

An *NYT* editorial declared, "[t]he document does not explicitly mention any religion, yet it sets a blatantly unconstitutional standard by excluding Muslims while giving government officials the discretion to admit people of other faiths" (*NYT Editorial Board* 2017). This statement highlights how the ban, while not explicitly naming Muslims, was framed as functionally exclusionary. Moreover, the NYT frames the ban as anti-civil by showcasing its arbitrariness and particularism—only excluding Muslims—rooted in secrecy, deceit, and calculation, and derived from unrealistic and unreasonable motives contrary to the constitution, sacred to the CS—thus establishing a clear threat to democracy.

Simultaneously, Trump attempted to manage the narrative. In an *NYT* article titled "Judge Blocks Trump Order on Refugees Amid Chaos and Outcry Worldwide," Trump claimed, "It's not a Muslim ban, but we were prepared" (Shear et al. 2017). This performance sought to run counter to the notion of a particularized and exclusionary policy while also defending the preparedness of the policy implementation. Trump's strategy reflected an attempt to situate the policy as civil and democratic for those uneasy about its anti-pluralistic implications. The statement "we were prepared" attempts to portray a controlled rollout and thus sacralize it, contrasting the chaos stated elsewhere.

Despite these efforts, the broader information environment profaned the policy as un-American. Collingwood et al. (2018) observed, "In the hours and days after the executive order was signed, the information environment—which overwhelmingly focused on the ban above other news events and executive orders—painted the ban, to some degree, as inherently un-American." This narrative harkened on idealized notions of Americanness as inclusive and pluralistic, directly challenging the exclusivity of the ban.

The Constitution and the Rule of Law as Sacred Structures

Another significant line of critique centered on the ban's constitutionality. The *NYT* editorial above explicitly labeled the policy unconstitutional, while another *NYT* article implied this by highlighting a judge's decision to block the order. In the U.S., the rule of law and the Constitution are treated as sacred, ritualized cultural structures. Their invocation carries profound emotional and symbolic weight, capable of mobilizing public outrage. As Jaworsky (2019) notes, "the rule of law is one of the primary justifications for maintaining a strong legal boundary around the nation." Similarly, Nevins (2002) emphasizes that the law shapes perceptions of good and evil, further illustrating its role as a moral cultural structure.

The media amplified these sacred values by coupling the ban with imagery of chaos, in stark contrast to civil rules based legal decision making, creating threats to equality. The *NYT* editorial board described the policy as "Cowardly and Dangerous," while another *NYT* article referenced "Chaos and Outcry Worldwide." The *Wall Street Journal* published a similarly titled piece, "Trump's Travel Ban Jolts Globe, Leads to Legal Fight," evoking synonymous imagery. By pairing the ban with the profane binaries of chaos and unconstitutionality, these institutions represented highly resonant cultural structures symbolizing the rule of law and the Constitution as under threat, and by extension democracy.

Holocaust Cultural Structure as a Sacred Evil and the Bridging Metaphor

Protesters often drew explicit parallels from the Muslim Ban to historical injustices. Ibrahim Qatabi stated, "[w]e are impacted by the ban, but it should concern every American. Once they ban one group, they can ban another group, and that's how people's rights get sent back to the Dark Ages" (Stack 2017). This warning, invoking the dangers of exclusivity and oppression, resonates with Martin Niemöller's Holocaust-era admonition: "First they came for the Communists, and I did not speak out because I was not a Communist…Then they came for me. And there was no one left to speak out for me." These linguistic parallels tapped into deeply ingrained cultural structures of collective trauma and moral responsibility, widely recognized due to widespread historical narratives and cultural representations of evil.

Alexander (2003) identifies the Holocaust as a cultural structure representing "sacred evil," a universal symbol of injustice requiring vigilance. Activists and public figures used what Alexander terms a "bridging metaphor" to draw equivalence between the Muslim Ban and the Holocaust, highlighting their shared origins in the exclusion and persecution of minority groups. A protesting Rabbi made this link explicit, stating:

We remember our history, and we remember that the borders of this country closed to us in 1924 with very catastrophic consequences during the Holocaust. We know that some of the language that's being used now to stop

Muslims from coming in is the same language that was used to stop Jewish refugees from coming (Moynihan 2017).

This statement invoked not only the atrocity of the Holocaust but also the United States' complicity in denying refuge to Jewish people fleeing persecution, drawing a moral warning about repeating such actions, and tapping into the commonsense cultural construct, "history repeats itself." The imagery of rabbis being arrested during these protests deepened the symbolic resonance and spurred more media attention, evoking memories of Holocaust-era persecution. Media coverage amplified these associations, embedding the Muslim Ban within a narrative of sacred evil. Phrases like "never forget" and references to universal morality, forged through the Holocaust's traumatic narrative, shaped public perceptions of the ban as an affront to justice and the fabric of democracy.

By aligning the Muslim Ban with this sacred evil, activists and communicative institutions framed it as a profound moral failing. This cultural coding helped catalyze more opposition from a broader public, helping to transform the ban framing from a security policy into a symbol of exclusion and oppression that demanded collective resistance and civil repair.

Statue of Liberty as a Symbolic Cultural Structure of Inclusivity: The Soul of Americanness

The protests against the Muslim Ban invoked the Statue of Liberty as a potent cultural symbol of inclusivity, framing the debate around what it means to be American. The *NYT* reported, "references to the Statue of Liberty and its famous inscription became a rallying cry" (Rosenberg 2017). The ideals etched on the Statue of Liberty's base read: "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!" (Lazarus 1883). Such imagery primes readers to reflect on their own immigrant heritage and the pluralistic inclusivity central to a universalistic CS. As one protester declared, "Muslims and refugees deserve just as much protection and love in America as anyone. I will stand by that forever and always" (Hu 2017). Here, the protester is explicitly expressing that Muslims deserve protection, not to be protected from. This extension of the horizon of solidarity sought to shift the framing of Muslims into civil discourse and away from the discourse of repression, harkening on trusting and friendly civil relations of equality.

Similarly, *The Wall Street Journal* invoked this resonating cultural referent with its article, "A Trump Protest Under Lady Liberty's Gaze" (Weiss 2017). The title connects the protests to the ideals of the Statue of Liberty and implies the ideals she represents are watching over the protesters. One protester, Mr. Aljomai, emphasized this by stating, "We are trying to tell Mr. Trump that America is the greatest and we want to keep it the greatest in the American way, not in his way. His decision is racist and he's not supposed to make a decision like

that" (Stack 2017). This taps into the binary of American versus un-American, implying that the ban undermines America's collective identity and broader sense of self. The protester notes that America is great, alluding to and contrasting with Trump's iconic "Make America Great Again" (MAGA). By contrasting "the American way" with "his way," the protester frames the policy as a betrayal of impersonal, collective, and universal institutional values in favor of the personal, factional and particular values. This also highlights a denial of charismatic authority. Muslim-American leaders echoed this framing. Afaf Nasher, executive director of CAIR New York, declared, "Muslim-Americans have been attacked over and over again... But we are resilient and strong, and we will come back with more protests until we have our civil rights. Because this is what America is supposed to be" (Robbins 2017). This statement again highlights civil ideals of unity, justice, and inclusivity while portraying protest itself as a sacred performance of American identity. Furthermore, they are pointing out the sacred ideal of increased inclusion over time.[6]

Hameed Khalid Darweesh, an Iraqi detained at JFK Airport, further captured this sentiment: "'This is the humanity, this is the soul of America,' he said, surrounded by reporters and a handful of protesters holding supportive signs. 'This is what pushed me to move, leave my country and come here'" (Rosenberg 2017). His words underscore the ideal of protesting injustice for justice and inclusion over exclusion. By distinguishing between the American people and the state's actions, Darweesh attempts to reinforce the idea that the protests embody the true "soul of America." The Statue of Liberty thus served as an iconic symbolic cultural structure of inclusivity mobilized to counter exclusivity. The communicative institutions thus were framing opposition to the Muslim Ban as a fight to preserve the nation's soul. By protesting, participants not only opposed the policy but also performed the sacred values of the civil sphere, standing against a policy deemed profane and un-American.

From Intra- to Inter-Institutional Regulation of the Policy

During the second and third days of the Travel Ban, January 28 and 29, airport protests persisted, and lawsuits were filed in New York and Massachusetts (ACLU 2017; 2020). A federal judge in New York granted the ACLU's request for an emergency stay, preventing the deportation of individuals stranded in U.S. airports. The ruling ensured that "[p]eople who arrive at a U.S. airport with a valid visa, green card, or as refugees approved for resettlement to the United States are protected from deportation" (ACLU 2017; 2020). This marked the first instance of inter-institutional regulation, with judicial intervention disrupting the policy's initial rollout. This ensured the continuation of a rule regulated and legal procedure, creating friendly, truthful, and open relations

6 "Insofar as the founding cultural myths and constitutional documents of democratic societies are universalistic, they implicitly stipulate that the discourse can always be further extended, and that it eventually must be" (Alexander 2006: 61).

rooted in autonomous, reasonable and calm motives, contrary to the binary anti-civil antonyms.

The chaotic rollout of the Ban, implemented without timely notification or clear procedural guidance, was cited as a violation of the rule of law. These critiques applied cultural-legal criteria like reasonableness to delegitimize the policy. Judicial rulings, shaped by embeddedness in a CS cultural configuration, thus applied civil motives, relations, and institutional discourses, reinforcing the bans portrayal as unlawful, unjust, and counter to deeply ingrained ideas of Americanness.

Meanwhile, media outlets amplified this narrative, coding the Ban as the "Muslim Ban" and framing airports as sites of resistance. Pro-bono lawyers aiding arrivals, protesters advocating for justice, and journalists exposing marginalization were portrayed as civil heroes. The chaotic implementation was further profaned as the courts' rulings questioned its constitutionality, giving communicative institutions additional material to criticize the Ban.

The interplay between judicial and communicative institutions intensified the societalization process. Legal rulings provided a basis for opposing the Ban, while media coverage reinforced its portrayal as anti-civil, sacralizing the actions of those resisting it via the discourse of the CS. Together, these institutions acted as cultural and regulatory forces, legally halting the Ban's first iteration while embedding it in the social text as un-American.

However, this inter-institutional regulation faced resistance. The iterative nature of the policy—rooted in anti-civil relations of deceit and antagonism driving arbitrary and power-based decisions—and ongoing sphere war underscored the tension between civil repair and backlash. This dynamic, explored further in T3 and T4, reveals the broader conflict over cultural definitions of Americanness.

Backlash, Sphere War, and Further Civil Repair

Backlash is an inevitable part of the societalization process, as institutions contest perceived overreach by other spheres to protect their autonomy (Alexander 2019a). During the civil repair of the Travel Ban, the White House reacted to what it saw as a breach of its institutional sovereignty. On January 30, 2017, President Trump's White House fired Acting Attorney General Sally Yates after she refused to enforce the Ban. Yates instructed Justice Department employees "not to defend the order in court" (Editorial Board 2017) and supported a dissent letter from 100 State Department officials, which stated: "This ban stands in opposition to the core American and constitutional values that we, as federal employees, took an oath to uphold" (Editorial Board 2017). This statement, coded in civil linguistics, questioned the morality and legality of the Ban while suggesting it could increase anti-Muslim and anti-American sentiment globally. Moreover, she notes the oath taken in support of the constitution and the country as a whole, harkening on the civil importance of office and contracts for regulating institutional behavior, contrary to anti-civil bonds of loyalty directed at a given personality.

Sally Yates publicly declared, "I am not convinced that the defense of the executive order is consistent with these responsibilities nor am I convinced that the executive order is lawful" (Binder and Apuzzo, 2017). Her dismissal during this tense period underscored the sphere war between the White House and other regulatory and communicative institutions. Yates, a holdover from the Obama administration, became a civil hero, praised for her refusal to uphold what she deemed unconstitutional, showcasing her autonomy, criticality, honor, and devotion to following the law and the oath of office, even when this meant certain removal from office. The *NYT* quoted a Republican senator from 2017 calling Yates "a hero of the American people, a hero of what's right" (Binder and Apuzzo 2017). This reframed her actions as bipartisan and rooted in truth over deceit, slightly transcending partisanship.

The courts continued to challenge the Ban. On February 3, 2017, a federal judge in Seattle issued a nationwide order temporarily blocking the Ban, and on February 9, a three-judge panel from the Ninth Circuit unanimously refused to reinstate it (ACLU 2020). Omar Jadwat of the ACLU stated, "[t]he appeals court's refusal to reinstate the Muslim ban is correct. The government's erratic and chaotic attempts to enforce this unconstitutional ban have taken a tremendous toll on innocent individuals, our country's values, and our standing in the world" (ACLU 2020). This statement, rich in civil sphere linguistics, framed the Ban as erratic, chaotic, unconstitutional, and un-American, reinforcing the notion of the ban as anti-civil and a threat to democracy.

President Trump's White House responded aggressively, asserting executive authority over national security matters. The *NYT* reported that Trump argued, "national security concerns are unreviewable, even if those actions potentially contravene constitutional rights and protections" (Liptak 2017). The courts rejected this argument, stating, "[i]t is beyond question ... that the federal judiciary retains the authority to adjudicate constitutional challenges to executive action" (Liptak, 2017). This response emphasized the judiciary's role in inter-sphere regulation, protecting constitutional boundaries and, by extension, American democracy itself. Moreover, the court clearly outlined that it was active and autonomous and thus critical of anything interfering with the rule of law and its sphere of influence.

Media coverage amplified this tension, framing the judiciary as protectors of the civil sphere against an overreaching executive branch. President Trump's reaction, including his February 10 tweet, "SEE YOU IN COURT, THE SECURITY OF OUR NATION IS AT STAKE!" (Siepel 2017). Here he states that the judiciary was compromising national security by blocking his ban. He later described the ruling as "a political decision" (Liptak 2017), questioning judicial impartiality by representing the court as conspiratorial rather than deliberative and self-interested rather than honorable, and thus focused on achieving power over preserving the rule of law.

Dissent within Trump's administration used similar civil linguistics to oppose the Ban. A memo from 100 State Department officials argued the policy was "counterproductive" to enhancing national security (Editorial Board 2017).

While agreeing on the importance of protecting American security, the memo framed the Ban as undermining these goals, indirectly endangering democracy. This dissent represented an internal attempt at inter-sphere regulation, as the State Department challenged the White House through communicative means in the civil sphere.

The conflict surrounding the Travel Ban illustrates the complexities of sphere war and civil repair. As the judiciary, communicative institutions, and civil society actors sought to challenge the Ban's legality and morality, the White House attempted to assert its authority, creating an iterative struggle over the boundaries of institutional power and the core values of American democracy.

Continuation of the Unsteady State: Sphere War, Iteration 2.0

The legal battles and the firing of officials marked only the beginning of the executive branch's backlash against civil repair efforts. After a brief period of calm following the judicial blocking of the first Travel/Muslim Ban, a second iteration was introduced via executive order on March 6, 2017. The *NYT* described this iteration as "[l]ighter, tighter and more carefully worded," noting its attempt "to pass legal muster in the United States while meeting its stated objective of combating Islamist terrorism" (Walsh 2017). This version sought legal and cultural acceptability by removing Iraq—an ally supported heavily by the U.S.—from the list of banned countries. Yet this new iteration remained in the unsteady state, prompting lawsuits, articles, and renewed CS resistance. Moreover, it remained heavily coded as anti-civil.

However, differing from the first rollout, the second iteration lacked the mass protests and emotional public displays that characterized the original. By this time, the ban had already been coded as a Muslim Ban in the collective consciousness, diminishing the shock value of its reintroduction. Still, civil sphere communicative institutions remained active. The *NYT* quoted an observer stating, "[t]o see this order as anything other than a Muslim ban is willful blindness. This is just another tragic example of this astonishing lack of empathy for anyone the administration believes is different" (New York Times Opinion 2017). This critique emphasizes the notion that the policy was aimed at othering those deemed different. Moreover, the quote emphasizes the dependent and distorted rather than autonomous and realistic view one must inhabit to believe the ban was justified, creating a deferential relation willing to accept exclusivity over inclusivity and ultimately hierarchy over equality in institutions. Again, showcasing the anti-civil and anti-democratic meaning of the ban.

Civil Sphere Regulation in Iteration 2

Unlike the chaotic rollout of the first iteration, the second version appeared more orderly, avoiding the immediate mass detainments and deportations that fueled airport protests. The *NYT* noted "[i]n a minor triumph, there were none

of the earlier chaotic scenes of travelers and refugees being turned back at airports" (Walsh 2017). This shift suggests an effort to represent the Ban's implementation as rational, reasonable, calm, self-controlled, realistic, and thus also straightforward, deliberative, and open, implying a rule regulated and impersonal contractual implementation. Moving away from blatant chaos toward procedural order greatly minimized the CS response to the ban. Removing the religious exception for Christians and eliminating Iraq from the list of banned countries further signaled an attempt to make the Ban appear less discriminatory, particularistic, and exclusive. Therefore, coding shifted away from the discourse of repression toward the discourse of liberty.

However, the intent to maintain the policy's exclusionary goals remained evident. Rudy Giuliani explicitly admitted to assisting in crafting a "Muslim ban that would pass legal muster" (Burns 2017). Stephen Miller similarly described the changes as "technical adjustments aimed at ushering the same policy past the review of a court" (Burns 2017). These admissions revealed the *de facto* goal of preserving the original ban's exclusionary intent while presenting a more acceptable facade. In this sense, the Muslim Ban still existed materially, while it became discursively cloaked in the symbolic discursive structure of motives, relations, and institutions, moving it from anti-civil to civil.

The orderly rollout of Iteration 2.0 accomplished two key outcomes: first, it allowed lawsuits to challenge the policy before full implementation; second, it minimized immediate visible impacts such as deportations, reducing media coverage and public outcry. Lawsuits from states such as Hawaii, New York, and Maryland became the key areas of contestation, rather than mass protests. Yet, communicative institutions did continue to critique the Ban, with the *NYT* reporting that 134 top foreign policy experts condemned it as "just as damaging to the United States' interests and reputation as his [Donald Trump's] original order" (Jakes 2017). Articles tied the Ban to declining tourism and economic setbacks. One article noted that the ban coincided with "a sharp decline in interest in coming to America," further linking the policy to reputational and economic harm (Jakes 2017). Yet, gone were the notions that the ban represented a clear existential threat to democracy itself.

Cultural Implications and Backslide of Democratic Norms

Communicative institutions began to highlight the broader global implications of the Ban, framing it as part of a democratic backslide, yet shied away from saying the entire house was burning down. One *NYT* article quoted an analyst describing the ban as contributing to a "moral and reputational toll" (Walsh 2017). This echoed concerns that the ban signaled a decline in U.S. democratic inclusivity and narrowed the horizon of solidarity. Another article noted that individuals in less democratic countries were drawing "parallels [to their own countries] to signify that the United States has entered an unwelcome phase" (Walsh 2017). These critiques tied the Ban to a perceived erosion of the U.S.'s moral and democratic standing globally.

Despite these communicative efforts to profane the ban, some evidence of minor civil repair emerged. Adjustments to the text and process of the second iteration were clear attempts to align with pluralistic civil sphere norms. However, these changes were often dismissed as and even celebrated by the authors of the ban as superficial efforts to pass legal scrutiny rather than genuine reforms.

2.0 The Legal Response Influenced by the Civil Sphere

The relatively subdued public response to Travel/Muslim Ban 2.0 contrasted sharply with the legal challenges it faced, as the unsteady state persisted within the judicial sphere. Judges in various cases cited the cultural context and social text surrounding the ban as critical factors in their decisions. For example, Judge Derrick K. Watson of Federal District Court in Honolulu wrote that a "reasonable, objective observer" would view the new order as "issued with a purpose to disfavor a particular religion, in spite of its stated, religiously neutral purpose" (Burns 2017). He noted the importance of context, referencing Trump's campaign press release calling for a "total and complete shutdown of Muslims entering the United States" (Burns 2017). Judge Watson's decision reflected an interpretation of the Ban's *de facto* intent rather than its *de jure* language, identifying it as discriminatory and in violation of the First Amendment, as anti-civil.

Similarly, a Maryland judge struck down parts of the Ban, stating its purpose was "'the effectuation of the proposed Muslim ban' that Mr. Trump pledged to enact as a presidential candidate" (Burns 2017). Both rulings emphasized Trump's campaign rhetoric as evidence of the Ban's exclusive and anti-plural intent, aligning with the civil sphere's coding of the policy as unconstitutional and directly tying anti-civil motives, relations and institutional outcomes together. These judicial decisions not only applied legal standards and the First Amendment of the Constitution, but also reflected CS cultural norms prioritizing religious pluralism and freedom as foundational and sacred to Americanness. This alignment between judicial rulings and civil sphere norms illustrates a partial cultural regulation of legality. By striking down the Ban, judges reaffirmed an inclusive conception of Americanness, rejecting particularistic, exclusionary aims, while affirming the sacrality of their own autonomous honorable office and civil duty toward upholding legality and equality in the form of contracts that supersede personal bonds of loyalty.

Trump's response to these rulings attempted to profane the legal decisions and reassert his narrative. Speaking to a crowd, he declared, "This ruling makes us look weak, which by the way we no longer are, believe me" (Burns 2017), implying that judicial regulation undermined U.S. strength. His rhetoric conveyed that U.S. national security should supersede the sacred cultural structures of the CS. Moreover, he portrays the judiciary as a threat to national security and by extension the polity itself, thus rationalizing the need for exclusivity and the deployment of anti-civil cultural codes rooted in hierarchy, personality, bonds of loyalty, factions, and power.

While public protests were limited during the second iteration, smaller social media-driven campaigns and legal challenges filled the void. The lack of mass protests can be attributed to the more civilly coded rollout of the Ban, which reduced emotional triggers characteristic of the first iteration, like mass detentions and deportations. This allowed the civil sphere's regulatory institutions to address the ban's anti-civility more directly in the courts, diminishing the need for large-scale collective action. However, this meant that public awareness and outcry diminished, decreasing the pressure for civil repair characteristic of the unsteady societal state. Moreover, this meant a decrease in the potency of the code flip.

The shift to legal battles reflected a less public response to the Ban's perceived incivility. As the *NYT* noted, fewer chaotic scenes at airports translated to fewer emotional calls for action, while legal victories provided a sense of resolution (Walsh 2017). Furthermore, the orderly rollout allowed for challenges to be resolved preemptively in court, reducing visible public conflict.

Communicative institutions continued to critique the Ban's impact on America's reputation. Articles highlighted how the Ban contributed to a "moral and reputational toll" (Walsh 2017). Observers noted that anti-democratic policies like the Ban threatened America's image as a beacon of democracy. Such narratives reinforced the ban's coding as anti-civil by emphasizing its economic, diplomatic, and moral consequences. Yet, the attacks from the CS became less pronounced, indicating a stagnating societalization process.

T5: New Steady State

The later iterations of the Travel/Muslim Ban signify a return to the steady state, characterized by "standoff, not cooperation" and intra-sphere regulation (Alexander 2018). The large-scale protests and communicative efforts to profane the ban that defined its initial rollout diminished significantly during subsequent ban iterations. This marked a reassertion of non-civil spheres and a decline in inter-sphere regulation. In this steady state, "intra-institutional authorities typically 'handle' even severe institutional strains" (Alexander 2019), thus shifting control and autonomy back to the White House and away from inter-sphere regulatory measures in the form of civil repair, sphere war, and a broad conception of the ban as a morally polluting strain and threat to democracy, instigating fear and alarm.

Evidence of this shift is seen in the sharp decline in media coverage. A scan of NYT articles showed only 21 pieces on the Travel/Muslim Ban from June 2017 to June 2018, averaging 1.75 per month—dramatically less than the 16 articles per month during the initial rollout. Similarly, Google search trends for terms like "Muslim Ban" and "Travel Ban" peaked during the first iteration and tapered off in later rollouts (Collingwood et al. 2018; Oskooii et al. 2019). These indicators suggest that the unsteady state and societalization process waned, with public and communicative institutions less reactive to new iterations that adhered to and were represented as more closely aligned with CS sacred binaries.

New Iterations and Regulatory Norms

Later iterations, particularly the third, exemplified a shift back to the steady state. They were less chaotic in implementation, less discriminatory in language, and framed as more pluralistic. This iterative refinement demonstrated how the White House sought to conform to civil sphere standards without abandoning its underlying goals. They could therefore implement an exclusionary policy without evoking intense public outcry. In effect, cloaking a Muslim Ban in sacralized civil binaries.

Legal and communicative responses to the third iteration were much less intense. Federal courts initially blocked parts of the Ban, as they had with earlier iterations, but the Supreme Court allowed the third version to take effect. The Court's ultimate ruling in June 2018 upheld the ban in its entirety, effectively legitimizing it within the rule of law. This lengthy judicial process, marked by deliberation and procedural order, diminished perceptions of the ban's anti-civil polluting qualities, grounding it instead in civil legal decisions carried out by institutions perceived to uphold civil ideals. Moreover, once the ban was deemed constitutional, it was effectively cemented into legal precedent, making it extremely difficult to stop via the courts.

The NYT's coverage of the third iteration reflects this cultural shift. Articl's during this period highlighted the policy's "deliberative, rigorous examination" (Shear 2017) and framed it as the product of institutional cooperation, emphasizing autonomous and controlled deliberation, rooted in reason and ultimately the law—in other words derived via civil motives, relations and institutions. This helped further cement the policy as civil. While dissenting voices were still reported, they were relegated to secondary roles, and the rhetoric was less combative. This indicated a broader acceptance of the Ban within civil sphere boundaries, despite its ongoing material exclusionary impact.

Interestingly, the third iteration was broader and more indefinite than its predecessors, yet it failed to reignite an unsteady societal state. This suggests that rule-regulated and orderly implementation processes, even with exclusionary intent, can avoid provoking mass CS resistance. By working within the CS's sacred binaries—particularly via actively conveying reasonable, calm, and self-controlled motives, open, truthful, straightforward and deliberative relations, and rule regulated, impersonal and legal institutional actions—the White House managed to advance its agenda without facing prolonged civil repair efforts.

The Supreme Court's 2018 ruling signaled the institutionalization of the third iteration as part of the steady state. With the rule of law—a sacred cultural structure—affirming the ban's legality, communicative institutions like the NYT shifted focus to bolstering the legitimacy of the Court. The societalization process subsided, and the ban became part of the normalized regulatory framework, illustrating a clear backslide of the CS into a new steady societal state.

This steady state persisted until early 2021, when newly elected President Joe Biden fulfilled a campaign promise to rescind the Ban via executive order.

This marked the end of the policy, achieved through the civil sphere's most fundamental regulatory mechanism: voting. However, as one can see in more recent events related to the genocide in Palestine, particularly ongoing U.S. complicity, and the arrests and deportations of Palestinian supporters, the strain was not really resolved and instead continued on.

Discussion and Conclusion

This study demonstrates the paradox at the heart of the civil sphere, illustrating how inclusive democratic ideals can be co-opted by exclusionary tribal solidarities rooted in race, place, and religion. Through the case of the Muslim Ban, it reveals how sacred civil binaries—such as inclusion/exclusion, liberty/repression, and civil/anti-civil—can be strategically manipulated and relativized to justify repression by portraying targeted groups as threats to democratic universality. A key finding is that the civil sphere's symbolic and discursive mechanisms for civil repair, while capable of fostering democratic resilience, are equally vulnerable to strategic manipulation, allowing anti-democratic policies to gain legitimacy through procedural conformity. Ultimately, democratic resilience hinges upon critically recognizing and resisting the relativization of civil binaries, ensuring that civil discourse materially expands the horizon of solidarity rather than symbolically cloaking exclusionary tribal motives, relations, and institutions.

The interplay between communicative and regulative institutions played a crucial role in contesting and reshaping the discourse surrounding the Muslim Ban. Media outlets framed the policy as antithetical to American civil ideals, emphasizing its chaos, exclusion, and violation of constitutional protections. Courts, drawing on civil sphere norms, initially challenged the legality of the ban, invoking sacred cultural structures like religious freedom, the Constitution and the rule of law. However, as later iterations of the policy conformed to procedural and legal norms, public resistance diminished, signaling a troubling normalization of exclusionary practices within the civil sphere, reminiscent of Arendt's notion of "the banality of evil" (1964). Moreover, primordially rooted notions of solidarity were furthered while being sacralized by the CS, indicating a material disconnect from the discourse.

This normalization reveals the vulnerability of the civil sphere to tribal and populist forces, particularly in an era of heightened political polarization and marginalization. The Muslim Ban demonstrates how tribal bonds rooted in religion, land, and cultural identity can be mobilized to constrain the horizon of solidarity in the name of protection from an imagined other, undermining the pluralistic ideals at the core of democratic societies. This dynamic raises critical questions about the resilience of the civil sphere in the face of exclusionary policies cloaked in civil discourse.

This work is thus illustrative of a clear CS backslide, if one considers the ideal version of the CS as constantly seeking to broaden the horizon of solidarity, or further the discourse of inclusivity in line with sacred democratic

founding myths (Alexander 2006). However, if one thinks of the CS as a cultural sphere of society that is constantly adapting and shifting toward simultaneously absorbing and integrating its discursive civil ideals into the cultural configuration of competing aspirational hegemonic interests, one can also say that the CS simply changed, but did not necessarily backslide, as it does not have directionality, only a binary discourse that can be employed to sacralize or profane any given social phenomena.

Alexander notes that "even when they [agents of the CS] are aware that they are struggling over these classifications, moreover, most political actors do not recognize that it is they who are creating them. Such knowledge would relativize reality, creating an uncertainty that could undermine not only the cultural core but also the institutional boundaries and solidarity of civil society itself. Social events and actors seem to "be" these qualities, not to be labeled by them" (2006: 63). It seems that a degree of relativization occurred here, with the strategic understanding of members of Trump's team, and Trump himself, that they could code the policy within binary civil motives, relations, and institutions without making the policy materially align with the CS code. Manipulating the CS cultural code for one's political interest is of course relatively standard, however, the sacrality of the cultural code and one's embeddedness within it, typically dictates a threshold, namely the preservation of democracy. In this sense there did indeed seem to be a level of uncertainty undermining the "cultural core…institutional boundaries and solidarity of civil society itself" (62). This undermining is reason to give major pause over the resilience of the CS as it puts into question the *sine qua non* of democratic politics, namely the ability to overcome political polarization and establish cross cutting group connections via "frenemy" status, wherein the broader collectivity is more important than a given faction or an individual's personal gain. This is even more problematic when the cultural regulators of the CS are relativized and incapable of defining, instantiating and repairing various anti-democratic societal strains. It seems that there is a need to add new codes to the binary discourse of the CS to more adeptly capture the rise of a CS that is increasingly repressive, especially if previously anti-civil codes become sacralized.

The findings of this study extend CST by emphasizing its limitations in addressing the outcomes of deeply entrenched tribal and primordial bonds. While CST provides a robust framework for understanding the tension between solidarity and justice, this case study reveals how these tensions can tilt toward exclusion, eroding the inclusive foundations of democracy. The civil sphere's mechanisms for repair, while powerful, risk reinforcing exclusion when repressive policies are strategically recast within sacred binaries that prioritize security and protection for an exclusive definition of Americanness rooted in blood (race), land (place), and religion (value/belief system), rather than a focus on furthering an inclusive and ever broadening horizon of solidarity.

This study of course has several limitations. Most importantly, the work does not look at "right wing" news sources such as Fox News or Breitbart. Instead, the work engages with mostly centrist and just left of center news

sources as these have been defined as most indicative of the CS. However, as the CS continues to backslide further right, it is pertinent to understand the issues framed with CS discourse in right wing news sources, as these are increasingly defining and instantiating the issues at the cultural core of the CS. CST is a very useful framework for understanding the Muslim Ban policy, however, it does have limitations as well. Namely, it is mainly a cultural theory that sometimes struggles to account for economic forces and *realpolitik*. The theory is also reliant on the existence of a populace that assigns meaning to and believes it inhabits a democratic place. Without this belief, the theory struggles to explain political change. Many political scientists today note that the U.S. is in fact an oligarchy, and has been for a long time, by showing that the U.S. is run by powerful special interest groups and the economic elite and thus not beholden to social movements and popular opinion. This also sheds doubt on the ability of CST to adequately explain civil society. As a descriptive and explanatory tool, CST is extremely adept at explaining the culture of politics and the moralizing discourse used by interactants to both instantiate and describe their idea of a democratic culture.

Understanding the process of this discriminatory policy's rollout also has implications for the ongoing marginalization process of Muslims in the U.S. and globally. The recent and ongoing genocide in Palestine, along with decisions at the executive level in the U.S. to illegally deport international students involved in protesting the genocide, many of whom are Muslim, sheds light on the ongoing and accelerating othering of Muslims in the U.S. It is also illustrative of the continued backsliding of the CS, especially in relation to marginalized groups as it shifts toward an acceptance of a contracting horizon of solidarity.

Looking forward, the resilience of democratic societies depends on safeguarding the pluralistic, inclusive, and universal values at the heart of and idealized by the civil sphere not just discursively but also materially. Vigilance against policies that undermine these ideals, even when presented within the language of civility, is critical. Future research could explore how civil spheres in other national contexts navigate similar tensions. Comparative studies of policies targeting other marginalized groups could further illuminate how tribalist and universalist impulses interact in shaping the horizon of solidarity. Ultimately, the case of the Muslim Ban highlights the fragility of civil repair in an era of democratic backsliding. The civil sphere must not only resist policies that narrow solidarity but also actively work to expand its universal boundaries, ensuring that its ideals of inclusion and justice are more than rhetorical aspirations, and instead material realities.

Acknowledgements:

I would like to thank Professor Nadya Jaworsky for her mentorship from the beginning of the project to its most recent form. Without her advice and input this project would not exist. Secondly, I would like to thank Professor Giuseppe Sciortino who also gave invaluable advice and input on this project,

particularly on the civil sphere. I would also like to thank Professor Andrea Cossu and Professor Ivano Bison for their advice and input on an earlier, much longer, draft of this paper. I would also like to thank Professor Harvey Goldman for his recent great advice and the reviewers for their excellent advice. Finally, I would like to thank my good friend Eva Martinelli. Our endless sociological conversations pertaining to the civil sphere and the meaning of culture drove my curiosity and passion for the project forward.

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Građanska sfera i u njenim okvirima postojana tribalna nezadovoljstva: Muslimanska zabrana obavijena sakralizovanim binarnostima

Apstrakt

Ovaj članak istražuje kako se primordijalne, plemenski ukorenjene veze sakralizuju unutar građanske sfere (GS), dovodeći u pitanje dominantne pretpostavke o njenom univerzalnom horizontu. Kroz strukturalističko-hermeneutičku analizu komunikativnih i regulatornih institucija koje su bile uključene u takozvanu Muslimansku zabranu prve administracije Donalda Trampa (2017–2021), studija otkriva kako isključujuće, anticivilne politike mogu postati legitimne unutar prividno građanskih okvira. U središtu ovog procesa leži paradoks građanske sfere: diskurs slobode istovremeno opravdava represiju kada su ciljne grupe predstavljene kao pretnja demokratskoj univerzalnosti. Analiza pokazuje postojanost „tribalnog solidarističkog horizonta", ukorenjenog u krvnom srodstvu, zemlji i religiji, koji se strateški mobilizuje kroz građanske motive, odnose i institucije kako bi suzio polje solidarnosti. Muslimanska zabrana se na početku suočila sa snažnim otporom, praćenim masovnim protestima i sudskim osporavanjem, pri čemu su građanske binarnosti oblikovale diskurs osude, predstavljajući

zabranu kao neameričku, antidemokratsku i protivustavnu. Kasnije verzije Muslimanske zabrane strateški su se prilagodile ovim kulturnim binarnim opozicijama, stičući legitimnost kroz proceduralnu i formalno uređenu implementaciju. Ovaj proces strateškog građanskog rebrendiranja otkriva da se primordijalne veze, ukorenjene u rasi, teritoriji i religijskom identitetu, koriste u oblikovanju građanske sfere i kreiranju njenih granica, te da doprinose procesu demokratskog nazadovanja kroz relativizaciju i manipulaciju građanskim motivima, odnosima i institucijama. Konačno, studija proširuje teoriju građanske sfere isticanjem njene ranjivosti na relativizaciju ključnih kulturnih binarnosti, naglašavajući da otpornost demokratskih društava zahteva kritičku svest o tome kako se građanski diskursi mogu kooptirati radi legitimizacije isključenja. Slučaj Muslimanske zabrane tako otkriva ozbiljne deficite u otpornosti građanske sfere, ukazujući na njenu temeljnu ranjivost kroz sklonost ka isključivanju, uprkos prividnim procesima građanske obnove.

Ključne reči: građanska sfera, tribalizam, Muslimanska zabrana, sloboda, represija, relativizacija, nazadovanje, otpornost, reakcija i kontrareakcija.