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The Rule of Law, Stases, and the Polarizing Style *Public Argument and Paradiastole*

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ABSTRACT: The rule of law is an essential feature of national and international democratic public argument. Civic stasis and factional stasis are constituted by two streams of contestation over government and society that flow from ancient times in Western civilization. Civic argument channels the energy of disagreement into institutional processes aimed to mediate or resolve difference. Factional stasis amplifies contestation energies through paradiastole, a trope that spirals conflict and erodes capacities to govern. When systatic and asystatic streams meet, common trust requisite to change or repair public institutions erodes. Substantive issue cases are traded for identity antagonisms. The polarizing style tropes factional conflict into a transposition of rule of law to authoritarian dictate.

KEY WORDS: civil society, faction, identity, paradiastole, polarizing style, public argument, rule of law, stasis

1. INTRODUCTION

Polarizing style is identified by van Eemeren et al. (2022) as an inviting category for inquiry. We take van Eemeren's (2019) suggestion to examine the pragmatic and dialectical features of the "polarizing style" (p. 166). This study examines polarized public argument as a culturally embedded ensemble of tropes and figures that energize two competing, pragmatic traditions located within the twin heritage of institutional civic argumentation (law and legislation) as well as that of corrosive conflict, factional strife, and authoritarian rule. A conservative "backlash" to the emergence of a quasi-consensus in favor of socially liberal and democratic values has led to a wave of authoritarian populism, threatening to erode the civic culture by delegitimizing "the core channels linking citizens and the state" (Norris & Ingelhart, 2019, p. 16, 436). The rhetorical vector of this process is a polarizing style that erodes comity requisite for civic deliberation, a necessary feature of democratic governance.

The polarizing style persists in the expression of stases across eras and nations. Generally, stasis flows from two rivers of expressive argument: The first, where civic disputes are organized into propositions of contention between prosecutor and defense in the pursuit of a legal or deliberative judgment; the second, where the clash of partisans jumps from local agonistic contestation to self-seeking tactics of aggression, power, and violence. The first stream generates institutional debates over cases; the second, turbulent vortexes of clash. Spontaneous and manufactured public controversies, alike, spread over global networks.

As in the past, polarization is animated by *paradiastole*, a master trope that re-names vice as virtue and flips virtue to vice (Alberti & Strait, 2019). We identify discursive, affective, and stylized resonances that this condition of public argument renders vivid through announcing opposing claims with a mix of figures from clarion euphemisms and discordant dysphemism to ridicule and contempt. A polarizing style seeks to shape the force of public argument.

Western democratic public argument is structured within at least two major traditions of stases. The first, which we call *factional stasis*, refers to acts, discourses, and events of antagonisms that are generated into spiraling civil strife and grueling power conflict. The second, which we call *civic stasis*, refers to both the social spaces of public argument and their articulation within a legitimate process of stock issues for discussion and debate. Often, the rhetorical accounts of civic stasis are rooted in classical legal institutions of local rule within Greek democracy and the Roman Republic.

The use of civic stases to structure argument processes in democracies is secured by the rule of law (*Rechtsstaat*). This doctrine binds the presentation and resolution of disagreement over public questions to legitimate processes of executive, legislative, and judicial argumentation. These processes exhibit principles of “publicity; prospectivity; intelligibility; consistency; practicability; stability; and congruence” (Waldron, 2016, para. 2). Just as the rules of stasis vary somewhat from place to place, so, too, government principles for identifying the rule of law are neither universal nor a closed set (McCubbins, Rodriguez, & Weingast, 2009). Yet, when invoked, the doctrine is articulated through a coherent mix of legal principles, similarly applied, in contrast to arbitrary or corrupt use of power. Formally defined, the “rule of law” is

the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures a nonarbitrary form of government, and more generally prevents the arbitrary use of power. Arbitrariness is typical of various forms of despotism, absolutism, authoritarianism, and totalitarianism. (Choi, 2023, para. 1)

Civic institutional argument and public debate set in motion—pragmatically, through the articulation of policy explanations, justifications, and evaluations—principles that may be drawn in as stakes of judgment. The rule of law can move from a concern peripheral to claims in contention to a main stake in a debate. Judgment against a party risks rejection of the process. Thus, a party to a dispute becomes factionalized. The polarizing style reinforces factional objections as stasis is networked into disinformation, fallacies, and aggressive gestures. Public argument becomes overheated. Public discussion of strategy openly embraces naked power, respected by its subjects “solely because it is power” (Russell, 1938, p. 75). Assertions enflame zones of disagreement with concocted attributions of disloyalty, wrong-doing, and scapegoating rituals of blame.

After tracing the heritages for these civic and factional stases, we dialectically assemble a late modern theory that connects the two traditions through the practice of polarizing rhetorical style. Polarizing style is constituted by the trope of *paradiastole* to reframe vice as virtue and virtue as vice, and depends upon an antagonistic economy of desire in which conspiracy, hoax, and blood libel function as the basic *topoi* for representing one's enemy. Factional stasis is pragmatic in a narrow, short-term sense; it uses rhetoric as a tool to fool the masses, split the opposition, and sustain solidarity with threat and promises of self-proclaimed "anti-establishment" leaders of the people. Public argument may become so hot and warped by such grasping strategies as to trigger forces whose actions actively threaten the peaceful transfer of power, a most fundamental aspect to democracy and rule of law. Civic stasis is pragmatic, too, in its call to adhere to a process that benefits the public in the long-run and its defense of the fundamental principles of a polity.

2. FACTIONAL STASIS

In political history, factional stasis emerges in discussions of civil war in ancient Greece. The Greek word *στάσις*, derived from the verb *ἵστημι* ('to stand'), denotes position, especially within athletic contests and warfare (Hawhee, 2004). Stasis is "the moment when two wrestlers would lock each other up in a stance that neither could easily break" (Walsh, 2017, p. 4), and similarly, opposing military forces engaged in melee (Wheeler & Strauss, 2007).

The concept of factional stasis advances the metaphor to refer to a standpoint and the people who share that standpoint (Hansen, 2004, pp. 126–127). Consequently, stasis is often translated as 'faction,' and more specifically, a revolutionary group disdaining established institutional processes and parties. Stasis also came to refer to the conflict between such factions, i.e., civil war. Aristotle (1941) defined stasis as political change achieved through force or deceit and aimed at fundamentally changing the structure of the state (Skultety, 2009). Political scientists often use the term interchangeably with 'polarization,' a "bimodality" of "preferences between groups" (Hetherington & Weiler, 2009, p. 19).

The most famous account of factional stasis appears in Thucydides' (1910) *History*, concerning a period that saw fractious civic conflict erupt all over the Greek world, often pitting oligarchs and elites against a populist *demos*. Thucydides famously described how this political climate induced semiotic breakdown and a reversal of discourse ethics:

Words had to change their ordinary meaning and to take that which was now given to them. Reckless audacity came to be considered the courage of a loyal supporter; prudent hesitation, specious cowardice; moderation was held to be a cloak for unmanliness; ability to see all sides of a question incapacity to act on any. (Thucydides, sec. 3.82.4)

As Skinner (2007) argues, Thucydides here points to the corrosive effects of the rhetorical inversion of moral worth—what rhetoricians would later refer to as *paradiastole* or *distinctio*—under conditions of civic strife. Aristotle (1984) discussed this trope in the *Rhetoric* when addressing how speakers reframe vice as virtue, noting that "Those who run

to extremes will be said to possess the corresponding good qualities; rashness will be called courage, and extravagance generosity” (1367b2-3).

Paradiastole is associated with *antanaklasis*, which denotes a “reflection” or “bending back” of light towards its source, an echo of sound, and also the physical rebound generated by an object thrown against another. As rhetorical figure, antanaklasis describes cases “where the same word is used in two different meanings” (Quintilian, 1998, sec. 9.3.68). The author of the *Rhetorica ad Herennium* recommends the strategic recasting of virtues to bolster one’s case in deliberative speech:

[If] it is at all possible, we shall show that what our opponent calls justice is cowardice, and sloth, and perverse generosity; what he has called wisdom we shall term impertinent, babbling, and offensive cleverness; what he declares to be temperance we shall declare to be inaction and lax indifference. ([Cicero], 1954, sec. 3.3.6)

Paradiastole, “used to redefine the honorable as the dishonorable in order to disable the opponent,” is a “trope born of and tending toward the reproduction of contention” (Gold & Pearce, 2015, p. 188). By attacking the shared ground of judgment and belief, it undermines the mechanism by which consensus could be achieved.

Moreover, factional stasis encourages moral equivocation, in which criminal acts and dishonest dealings are signs not of an untrustworthy character, but of a cunning intellect: “To succeed in a plot was to have a shrewd head, to divine a plot still shrewder,” and ultimately, “to forestall an intending criminal, or to suggest the idea of a crime where it was lacking, was equally commended” (sec. 3.82.5). Factional stasis only admits as a guiding moral telos the instrumental success of the faction over against all other ties and institutional logics, “making the party caprice of the moment their only standard” (sec. 3.82.8). Compromise is neither sought nor desired; extremism is valued, while moderation and centrism are despised. Actual deliberation is impossible because dialogue and debate are just unnecessary risks. Finally, standards of sincerity, good faith, decorum, and honor become the cynical objects of ridicule as “society became divided into camps in which no man trusted his fellow” (sec. 3.83.1).

3. CIVIC STASIS

The second meaning of *stasis* that we wish to consider here is associated with the teleological outlook of Aristotle and ancient Greek and Roman practices of legal argument. Civic institutions situate stasis in terms of primary issues of a case or stock questions in a controversy. Much like the image of wrestlers locked in combat, this stasis entailed a point of dispute around which arguments come to clash. Classical rhetoricians developed a theory of stasis as practical method to navigate controversy, “a way of identifying, controlling, and resolving... conflict within the community” (Carter, 1988, p. 101). From Hermogenes through Cicero to the present day, the rhetorical theory of stasis has largely concerned the division and subdivision of disputable questions, classifying arguments according to the “underlying structure of the dispute that each involves” (Fahnestock & Secor, 1983; Heath, 1994, p. 114; Yuan et al., 2017). Hermogenes identifies four types of questions to be resolved by argument: those of fact or inference, definition or interpretation, nature or value, and action or procedure. These questions follow a logical sequence. Did

something happen? If so, what? How should we feel about it? Finally, what should we do? Latter questions presuppose agreement on former ones. Cicero expands each of these divisions into subdivisions, dividing, for example, questions of fact into those about existence, origin, cause, and change. Each subcategory can be further subdivided, resulting in rich and complicated taxonomies of disputable questions (Burke, 2015; Nadeau, 1959). One distinction of particular importance to the present discussion concerns the disputable and indisputable. In any public controversy, some arguments are possible or valid and some are not. The resolution of disputable questions depends on a series of prior agreements. Hermogenes divides political questions (ζήτημα πολιτικόν) into *synestota*, for which stasis can be found, and *asystata*, which cannot be argued (Karadimas, 2014). Systatic questions have a clear matter to be judged, about which logically coherent and potentially persuasive arguments exist, and for which exists an audience capable of evaluating those arguments. In a legal context, Hermogenes (1964) explains that this final requirement is true “when whatever is before the jurors is uncertain in judgment and not prejudged before the trial but capable of being judged” (pp. 390-391).

We can refer to *stasis points* as expressions of contestation. Stasis points emerge in the public sphere through what are perceived as efforts of persuasion in the shape of strikes, picketing, protests, and other forms of engagement. The judicial process follows a similar logic, while managing to domesticate clash with procedural regularity. In democracies, policy deliberation stems from the articulation of issues. Customarily, modern cases for preserving, extending, or overturning the status quo become debated in terms of needs, causes, plans, and outcomes.

In democracies, the frame of contestation is ontic: The point of clash or stasis becomes a standpoint to be channeled in institutional systems of mediation and adjudication designed to resolve disputes with the help of evidentiary tools. When points of conflict emerge and fester outside the domestic constitutional order, they tend to be viewed as standoffs, according to an ontological framework of antagonism. Stasis, then, has a twin face: On the one hand, stasis presents a way of organizing clash presented for the judgment of elites or public audiences; on the other, in policies directed to attenuated situations of the polis, stasis becomes conflict, risking the comity of governance.

4. POLARIZING STYLE

Polarizing style emerges as a dominant rhetorical form during periods of civil strife, during which members of different factions share diminishing “common symbolic space” (Mouffe, 2005, p. 13). Polarizing style is an ensemble of tropes, twists of mind, expressions, and motivations that spur connection and push (back). *Ad hominem* becomes a key topos; dialectical proposition, a fallacy. In a world in which images have “saturated our political imagination,” the challenge is securing attention, which feeds off novelty and prompts aggressive speculation (Bottici, 2014, p. 3). The spectacle of disinformation risks lives and welfare for self-promotion and power. Authoritarian sourced disinformation sets a polarizing style that does damage to the office, and leaves an anti-democratic legacy that goads voter suppression and violence.

We highlight two key relationships between factional and civic stasis. First, factional stasis inhibits public discussion of resolvable policy problems by undermining

prior agreements on earlier stasis points in the chain. Put simply, we share less of the first principles that serve as prerequisites to substantive deliberation. Second, by relinquishing truth, sincerity, and normative rightness as validity conditions for public speech acts, factional stasis redefines productive discussions as asystatic and toxic argumentation as systatic, inverting the rhetorical presumptions of healthy liberal democracy.

4.1 The prior agreement problem

In late modernity, with reason split up into its moments, public argument is often not what it appears to be (Habermas, 1987). Expressed arguments often function merely as symbolic tokens standing in for conflict that is primarily affective rather than logical, concerned more with identity than ideas (Matheson, 2019). This directly relates to the degree of polarization in a society. Without shared symbolic space, there can be no mutually held first principles. If a voiced argument is reflective of actual stasis, agreement on prior stases is assumed, but in fact is often incomplete or missing altogether. Additionally, as identity antagonism supplants logical reasoning in an individual's motivational structure, her utterances are less likely to be sincere disclosures of subjective rationales. There are still taboos against intergroup animus, and the very act of giving reasons presupposes that there are reasons to give. The lack of truthfulness makes it difficult to classify the true nexus question of a debate, as the putative arguments are illusory. We may hear claims about, say, the prevalence of adverse effects from the COVID vaccine, or aversion to a therapy that is experimental – coupled, of course, with the enthusiastic willingness to consume an anti- parasitic drug formulated for livestock (Cáceres, 2022). Those arguments are just code for the unstated but real reason, which is that the person refusing vaccination hates and resents the kind of person who gets vaccinated.

Late modernity also confuses the traditional structure of civic stasis with its constitutional rhetoric because of the complexity of risk. Risk is never absolute. Uncertainties run in multiple directions. Every risk is bound up with other risks. Individuals can reasonably disagree about how tolerant one ought to be toward different levels and sources of uncertainty, as well as the appropriate relative degree of aversion to various kinds of risk. Additionally, risks are the product of human intervention and so the facts are to some degree dependent on action (Beck, 1992; Luhmann, 2005). Consequently, the stasis points must be taken in parallel rather than in order, and are shaped more like a recursive network than a linear progression. Moreover, modernity provides increasingly powerful tools with which we can understand the facts about the world, but those tools depend on shared trust in the basic mechanisms for recognizing, auditing, and authorizing expertise. Resolving any node in the stasis network requires trust, which becomes perhaps insurmountable in a conflict built on distrust, the fractionalization of expertise, and open hostility to the networked authority of institutional governance.

4.2 The vortex of systatic and asystatic (ant)agonisms.

Polarizing style yoked to civic stasis warps the rhetorical boundaries between systatic and asystatic contestation. Ideological differences give way to affective antagonism, while actual policy disagreement becomes smaller and less important. Instead of ideas, identities are at stake, as conflict centers around the “core self-understanding of what it means to be

a good person and... the basis of a good society” (Hetherington & Weiler, 2009, p. 13). This drives voting behaviors, ultimately reintroducing ideological polarization among elites, as politicians perform intergroup animus through partisan policymaking, while extracting maximal material advantage for their financial backers (Abramowitz, 2010).

Polarizing speakers call attention to constraints on argumentation, real or imagined. Their audience constitutes a *silent majority*, as Nixon put it (although during the Victorian era this phrase was a euphemism for the deceased), who, despite their majority status, have been ignored by antagonistic political elites (Hughes, 2010). This move justifies contempt for traditional political norms, which in some cases are read as a form of censorship. The epithet of *political correctness*, for example, has channeled public resentment against higher education (among other things) into a myth whereby decorum and inclusiveness are read as the work of “repressive thought police” (Wilson, 1995, p. 16). The thoroughly hypocritical nature of such moves is evident in their parallel efforts to silence their opponents. Polarizing argument impugns the legitimacy of whole classes of speakers, institutions, and, importantly, channels of communication.

When factional stasis prevails, appeals to common virtue, compromise, and collaboration with opponents are, if offered sincerely, seen as an embarrassing sign of naiveté or a fatal weakness. Attacks on process corrodes the principles of rule of law. One’s interlocutors are illegitimate. Derision rules. In some cases, a fundamental antagonism between adversaries is juxtaposed with a denial of that very antagonism. Consider the wave of laws in the United States banning the teaching of “critical race theory” in public schools. People of one faction have defined their self-identity around the refusal to acknowledge historical racial injustice, and so such discussions are asystatic (Kelsie, 2019; Wynter, 2022). There is an implicit recognition that one’s affective animus is so strong, that to even engage a topic would be impossible – but, of course, this is framed as an attack on the opponent for being “divisive,” promoting “class warfare,” engaging in “identity politics,” weaponizing “collective guilt,” and so on (Chon-Smith, 2015; Scola, 2021). Here, again, we see the trope of paradiastole positioning virtue as vice.

There are no easy or obvious remedies to factional stasis. An explicitly “reconciliatory” argumentative style (van Eemeren, 2019, p. 166) that works to blur the lines of political conflict and de-emphasize sub-national collective identities can backfire. Writing 16 years before the election of Donald Trump, Mouffe (2005) presciently suggested that post-war centrism had not culminated in “a more mature, reconciled society without sharp divisions;” rather, “when democratic confrontation disappears, the political in its antagonistic dimension manifests itself through other channels” (p. 114). She argued that Clintonian triangulation, intended strategically to be depolarizing, directly led to his impeachment, because without “contestation over real political alternatives,” fundamental antagonisms emerge pathologically (in that case, concerned with sex scandal), “manifesting... under forms that undermine the very basis of the democratic public sphere” (p. 115). Similarly, Barack Obama championed a health-care policy developed by his political opponent Mitt Romney, leading to the emergence of a movement (the Tea Party) which understood this policy to be as extreme as the Bolshevik revolution (De Genova, 2020; Kabaservice 2012).

5. PUBLIC ARGUMENT AND THE POLARIZING STYLE

The rule of law underwrites civic argumentation and debate among the 166 sovereign democracies across the world. The World Justice Project (2022) extends institutional stases to international standards of governance. Criteria for the rule of law in respective democracies are measured and published. The rule of law works toward becoming a standard for democratic public argument. For example, the European Union celebrates the rule as “one of the fundamental values upon which the EU is based” (European Commission, 2022, para. 1). The rule acts as a “preventive mechanism” from deterioration of politics (European Commission, 2023, para. 32). The polarizing style—in its pragmatic assemblies of tropes as well as its dialectical transfers of the political imaginary—invites critical, appreciative studies of public argument in the pursuits of identity, change, peace, and justice.

Public argument in a democracy always risks fractionalization among advocates who find their interests ill-served by conventional means and are willing to push contestation into a struggle for power. The polarizing style of public argument energizes factions that erode democratic rule of law. Groups alienate, self-organize, network, and inveigh against law as governance, justice, and/or regulation. Ruling elites deploy publicity to play factions against one another. Hegemons concoct or sponsor aggressive practices of propaganda, brash self-assertion, and cheer for rebellion, too. Any democratic centrist civic realm may divide, fragment, and collapse from a flood of such triggered assaults—for a time. Just as rhetoric can build up a public sphere by a series of well-considered, timely civic deliberations and fortunate outcomes, democratic processes can spiral downward, quickly, toward authoritarian rule. The legal, legislative, and executive process of public argument may become rent through theft, unjust risk exposures, denial of rights, press restrictions, procedural bias, and the co-option of an independent judiciary. Authoritarian regimes are glued together by exception to civic process. Democratic rule of law becomes endangered by polarization when factions and elites amalgamate together in partisan struggles for power. Authoritarian elites, then, offer strong-man controls as a specious promise of a return to order, ante. Argument is pushed outside the orbit of convincing audiences. Tropes and figures function as verbal glue binding thinking into opposition that spirals.

Polarizing argumentative style destabilizes the stakes of partisan disputes, pushing uncommitted observers and moderates to take sides. Adversaries multiply. Identity differences gin individuals into enemy camps, exiling adversaries from the once common symbolic space. The dynamic power of paradiastole as a trope is multiplied rhetorically by mimetic rivalry, posturing small problems into differences in first principles and facilitating the creative reproduction of division and acrimony. Indeed, the dwindling of needed, substantive agonistic conflict itself amplifies polarization, recalling Freud’s “narcissism of minor differences” (Freud, 1989, p. 72). In a modern pluralistic liberal democracy, polarizing style enacts conflict to transform the collective identities of adversarial citizens into antagonistic combatants. When appeals to decorum and shared values are read (fairly or unfairly) as vehicles of domination and exclusion, polarizing style has the potential to provoke a legitimization crisis in the public sphere, attacking the meta-argumentative norms that structure the very deliberative environment mediating that critique.

REFERENCES

- Abramowitz, A. I. (2010). *The disappearing center: Engaged citizens, polarization, and American democracy*. Yale University Press.
- Alberti, L., & Strait, L. P. (2019). A temporally local theory of polarizing argumentative style. In D. Hample (Ed.), *Local theories of argument* (pp. 517-523). Routledge.
- Aristotle. (1941). Politics. In R. McKeon (Ed.), & B. Jowett (Trans.), *The basic works of Aristotle* (pp. 1127–1324). Random House.
- Aristotle. (1984). Rhetoric. In W. R. Roberts (Trans.), *The Rhetoric and the Poetics of Aristotle* (pp. 1–218). McGraw-Hill.
- Beck, U. (1992). *Risk society: Towards a new modernity* (M. Ritter, Trans.). SAGE Publications.
- Bottici, C. (2014). *Imaginal politics: Images beyond imagination and the imaginary*. Columbia University Press.
- Burke, M. (2016). Discourse implicature, Quintilian and the lucidity principle: Rhetorical phenomena in pragmatics. *Topics in Linguistics*, 17(1), 1-16. <https://doi.org/10.1515/topling-2016-0001>
- Cáceres, C. F. (2022). Unresolved COVID controversies: ‘Normal science’ and potential non-scientific influences. *Global Public Health*, 17(4), 622–640. <https://doi.org/10.1080/17441692.2022.2036219>
- Carter, M. (1988). Stasis and kairos: Principles of social construction in classical rhetoric. *Rhetoric Review*, 7(1), 97–112. <https://doi.org/10.1080/07350198809388842>
- Choi, N. (2023). Rule of law. *Britannica*. <https://www.britannica.com/topic/rule-of-law>
- Chon-Smith, C. (2015). *East meets black: Asian and black masculinities in the post-civil rights era*. University Press of Mississippi.
- [Cicero]. (1954). *Rhetorica ad Herennium* (H. Caplan, Trans.). Harvard University Press.
- De Genova, N. (2020). “Everything is permitted”: Trump, white supremacy, and fascism. *American Anthropologist*. <https://www.americananthropologist.org/online-content/everything-is-permitted-trump-white-supremacy-fascism>
- Eemeren, F. H. van. (2019). Argumentative style: A complex notion. *Argumentation*, 33(2), 153–171. DOI: 10.1007/s10503-019-09478-y
- Eemeren, F. H. van, Garssen, B., Greco, S., Haaften, T. van, Labrie, N., Leal, F., & Wu, P. (2022). *Argumentative style: A pragma-dialectical study of functional variety in argumentative discourse*. John Benjamins. <https://doi.org/10.1075/aic.20>
- European Commission. (2022). The rule of law. https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law_en
- European Commission. (2023). Q&A: Rule of law report 2023. https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_3632
- Fahnestock, J. R., & Secor, M. J. (1983). Grounds for argument: Stasis theory and the topoi. In D. Zarefsky (Ed.), *Argument in transition: Proceedings from the third summer conference on argumentation* (pp. 135–145). Speech Communication Association.
- Freud, S. (1989). *Civilization and its discontents*. W. W. Norton & Company.
- Gold, R., & Pearce, J. (2015). Ferox or fortis: Montaigne, Hobbes, and the perils of paradiastole. *Philosophy & Rhetoric*, 48(2), 186–210. <https://doi.org/10.5325/phlrrhet.48.2.0186>
- Habermas, J. (1987). *The theory of communicative action: Volume 2: Lifeworld and system: A critique of functionalist reason* (T. McCarthy, Trans.). Beacon Press.
- Hansen, M. H. (2004). Stasis as an essential aspect of the polis. In M. H. Hansen & T. H. Nielsen (Eds.), *An inventory of archaic and classical poleis* (pp. 124–129). Oxford University Press.
- Hawhee, D. (2004). *Bodily arts: Rhetoric and athletics in ancient Greece*. University of Texas Press.
- Heath, M. (1994). The substructure of stasis-theory from Hermagoras to Hermogenes. *The Classical Quarterly*, 44(1), 114–129. <https://doi.org/10.1017/S0009838800017250>
- Hermogenes. (1964). On stases (R. Nadeau, Trans.). *Speech Monographs*, 31(4), 361–381.
- Hetherington, M. J., & Weiler, J. D. (2009). *Authoritarianism & polarization in American politics*. Cambridge University Press.
- Hughes, G. (2010). *Political correctness: A history of semantics and culture*. Wiley-Blackwell.
- Kabaservice, G. (2012). *Rule and ruin: The downfall of moderation and the destruction of the Republican Party, from Eisenhower to the Tea Party*. Oxford University Press.

- Karadimas, D. (2014). Hermogenes' On Staseis: Rhetoric as legal philosophy. In E. K. Emilsson, A. Maravela, & M. Skoie (Eds.), *Paradeigmata: Studies in honour of Øivind Andersen* (pp. 219–228). Norwegian Institute at Athens.
- Kelsie, A. E. (2019). Blackened debate at the end of the world. *Philosophy & Rhetoric*, 52(1), 63–70. JSTOR. <https://doi.org/10.5325/philrhet.52.1.0063>
- Luhmann, N. (2005). *Risk: A sociological theory* (R. Barrett, Trans.). Transaction Publishers.
- Matheson, C. (2019). Stasis in the net of affect. *Philosophy & Rhetoric*, 52(1), 71–77.
- McCubbins, M. D., Rodriguez, D. B., & Weingast, B. R., (2009). The rule of law unplugged (September 3, 2009). *University of Texas Law, Public Law Research Paper No. 158*, <http://dx.doi.org/10.2139/ssrn.1467797>
- Mouffe, C. (2005). *The democratic paradox*. Verso.
- Nadeau, R. (1959). Classical systems of stases in Greek: Hermagoras to Hermogenes. *Greek, Roman, and Byzantine Studies*, 2(1), 51–71.
- Norris, P., & Inglehart, R. (2019). *Cultural backlash: Trump, Brexit, and authoritarian populism*. Cambridge: Cambridge University Press. doi:10.1017/9781108595841.013
- Quintilian. (1998). *The institutio oratoria of Quintilian* (H. E. Butler, Trans.). Harvard University Press.
- Russell, B. (1938). *Power: A new social analysis*. New York: Norton Library.
- Scola, N. (2021, August 6). Polarization, with Daniel Kreiss. *Slow Build*. <https://slowbuild.substack.com/p/daniel-kreiss-polarization>
- Skinner, Q. (2007). Paradiastole: Redescribing the vices as virtues. In S. Adamson, G. Alexander, & K. Ettenhuber (Eds.), *Renaissance figures of speech* (pp. 149–164). Cambridge University Press.
- Skultety, S. C. (2009). Delimiting Aristotle's conception of stasis in the Politics. *Phronesis*, 54(4/5), 346–370. <https://doi.org/10.1163/003188609x12486562883174>
- Thucydides. (1910). *History of the Peloponnesian War* (R. Crawley, Trans.). E. P. Dutton.
- Waldron, J. (2016). The rule of law. In E. N. Zalta & U. Nodelman (Eds.), *The Stanford Encyclopedia of Philosophy*. Metaphysics Research Lab, Stanford University. <https://plato.stanford.edu/entries/rule-of-law/>
- Walsh, L. (2017). Understanding the rhetoric of climate science debates. *WIREs Clim Change*, 8(3), e452. <https://doi.org/10.1002/wcc.452>
- Wheeler, E. L., & Strauss, B. (2007). Battle. In P. Sabin, H. van Wees, & M. Whitby (Eds.), *The Cambridge history of Greek and Roman warfare, Volume 1: Greece, the Hellenistic world and the rise of Rome* (pp. 186–247). Cambridge University Press.
- Wilson, J. K. (1995). *The myth of political correctness: The conservative attack on higher education*. Duke University Press.
- World Justice Project (2022). The global rule of law recession continues. <https://worldjusticeproject.org/rule-of-law-index/>
- Wynter, K. (2022). *Critical race theory and Jordan Peele's Get Out*. Bloomsbury Publishing.
- Yuan, Y., Harris, R. A., & Jiang, Y. (2017). Stasis salience and the enthymemic thesis. *Language and Semiotic Studies*, 3(3), 1–21.