1919 Revolution. See Egypt	al-Majlis al-Waṭanī al-Ittiḥādī. See Federal
1952 Revolution. See Egypt	National Council of the United Arab
1956 Constitution. See Egypt	Emirates
	al-Miṣrīyyah (newspaper), 199
ABA. See American Bar Association	al-Nahḍah. See Nahḍah
ABA Commission on Women. See American Bar	al-Qur'ān. See Qur'ān
Association	al-Sadāt, Jihān, 200
ABA Section of Litigation. See American Bar	ambiguity, 33, 74, 80, 82, 84, 86, 116
Association	strategic, 116
ʻAbd al-Raḥmān, ʻĀʻishah, 195	American Bar Association, 143, 248–272
abortion. See reproductive rights	ABA Commission on Women, 253
ACHR. See Arab Charter on Human Rights	ABA Section of Litigation, 253
ACWR. See Arab Charter on Women's Rights	Achieving Long-Term Careers for Women in
ADAA. See Anti-Drug Abuse Act of 1986	Law initiative, 250, 252–253
Adams, John Quincy, 76	amicus/-i curiae, brief, etc., 64, 107, 145, 149-150,
Adeodato, João Maurício, 101	154
adversarial system, 58, 65, 290	Amīn, Qāsim, 195
Aeschines	Anglican Church, 249–250, 263, 270
Against Ctesiphon, 58–60	Anti-Drug Abuse Act of 1986, 229, 232
affirmative action, 174, 176	Anti-Drug Abuse Act of 1988, 234
African Diasporic rhetorical tradition, 4,	apagoge, 50
296	Arab Charter on Human Rights, 182
Against Aristocrates. See Demosthenes	Arab Charter on Women's Rights, 181–182
Against Athenogenes. See Epicrates	Arab League, 181
Against Ctesiphon. See Aeschines	Arab Parliament. See Arab League
Against Leocrates. See Lycurgus	Arab Renaissance or Awakening. See Nahdah
Against Timocrates. See Demosthenes	Arab(ic)-Muslim world, 181–202
Ahmed, Leila, 194–195	Arabic-Islamic rhetoric, 181–202
Akhbār al-Youm (newspaper), 200	arete, 18–19
al-Ahrām (newspaper), 201	argumentation schemes, 100
Alexander, Michelle, 236, 239, 243	Aristotelian revival, 17th century, 124
Alito, Samuel, 97, 103–116, 153,	Aristotle, 3, 6, 18–19, 24, 73, 102, 161, 295
165	Prior Analytics, 97
al-Jarīdah (newspaper), 197	Rhetoric, 3, 43, 73, 97–100, 121–122, 145
All Writs Act of 1789, 151–152	On the Soul, 124
ALM Media, 250, 252–253, 269	Ark Group, 253
	11 //

ars dictaminis, 75	Brennan Center for Justice, 245
ars notaria, 75	broken windows policy, 213
Asian Diasporic rhetorical tradition, 4, 296	Brown v. Board of Education of Topeka, 18, 23, 26,
assimilated cultural influences, 191, 193	28, 34, 64, 166, 171
assisted suicide, 52, 110	Bruen. See New York State Rifle & Pistol
Astell, Mary	Association v. Bruen
A Serious Proposal to the Ladies, 248–272	Brutus. See Cicero, Marcus Tullius
Letters Concerning the Love of God, 254	Bryant, Susan, 278
Some Reflections Upon Marriage, 250	Buller, Francis, 125
'Aṭīyah, Rāwīyah, 200	Bureau of Justice Statistics, 243
Athens	Burke, Kenneth, 55–56
ancestral constitution, 42	Bush, George W., 21, 143
democracy, 73	busing, 170–176
forensic rhetoric, 42-66	Butler, Judith, 229–232, 237–245
judges, 43	Frames of War, 231
legal procedure, 45, 50	Precarious Life: The Powers of Mourning and
Atlantic Monthly, 213	Violence, 231
Attic orators, 42–66	
Augustine of Hippo, 4	Camper, Martin, 75
autonomy theory, 283	canons of construction or interpretation. See
	interpretation
Bāḥithat al-Bādīyah (pen name). See Nāṣif, Malak	canons, rhetorical, 74
Ḥifnī	Carbado, Devin W., 209
Balkin, Jack, 33, 54	carceral state, 234, 238
Barlas, Asma, 194–195	Cartesian thought, 160, 249-250, 267
Barrett, Amy Coney, 150–153	case method (legal education), 288
Bass, Hilarie, 250, 252-253, 269	casebooks, 274, 278–281, 284, 287,
Battered Woman, The. See Walker, Lenore	289–290
battered woman syndrome, 281–283, 285–288	Center for Women in Law, 253
Baude, William, 141, 143	Chadderton, Charlotte, 230
Bell, Derrick, 178	character. See ethos
Bennett, Mark W., 235, 242	characterology, 147
Berenguer, Elizabeth, 4, 46, 55, 296	Charles River Associates, 253
Berger, Raoul, 18, 36	Chettle v. Chettle, 125
Government by Judiciary, 22, 24	Chudleigh, Mary, 249
Bernstein, David, 177–178	Cicero, Marcus Tullius, 73, 76, 91
Beyond All Reason: The Radical Assault on Truth	Brutus, 73
in American Law. See Farber, Daniel; Sherry,	De Inventione, 72–75, 145
Suzanna	De Oratore, 73
Bible, 75	Topica, 73
Biden, Joe, 170	Civil War, United States, 236–237
big law firms and culture, 260–261, 263–267, 270	Classical Rhetoric as a Lens for
Bint al-Shāṭi' (pen name). See 'Abd al-Raḥmān,	Contemporary Legal Praxis (UNLV
'A'ishah	symposium), 296
Bizzell, Patricia, 276	clear and present danger, 54
Black Lives Matter, 217, 219, 223, 239, 297	Clear, Todd R., 242
Blackmun, Harry A., 111, 115, 128	CNN, 238
Blackstone, William, 90	cocaine, 229, 233–236, 241–242
BLM. See Black Lives Matter	colonialism, 182, 193, 196–197
Blow, Charles, 222	colorblind jurisprudence, 176
bon sens, 160	Columbus, Christopher, 198
Bowers v. Hardwick, 61–63	common sense. See sensus communis
Brandeis, Louis B., 54, 106	communal indwelling, 21
The Right to Privacy, 106	compelling state interest, 106, 108, 173

Comprehensive Drug Abuse Prevention and	Descartes, René, 160, 263
Control Act of 1970, 234	desegregation, school, 170–173, 176
Condit, Celeste M., 208	determinacy, 70, 72, 82–87
Confrontation Clause. See United States	determinist imaginary, 70-91
Constitution	dicast, 43
confrontational homicides, 288	Diels, Hermann, 275
congressional redistricting, 141	Discourse Concerning the Love of God. See
Connecticut National Bank v. Germain, 86–87	Masham, Damaris
constitutional interpretation. See interpretation	disidentification, 232
constitutive rhetoric, 105, 185	dissenting opinions, 28, 63-64, 85, 109, 112-113, 141,
constraint principle, 31	143, 148–151, 168, 279, 283–287
construction zone, 32	Dissoi Logoi, 73, 273–279, 288–290
contentio, 249, 256–257, 262, 267–269	District of Columbia v. Heller, 29, 34, 46, 48–50, 53
context, 77	diversity, 253, 263, 269, 271
Convention on the Elimination of All Forms of	divorce, 201
Discrimination against Women, 181	Dobbs v. Jackson Women's Health Organization,
Corax of Syracuse, 46	52, 56, 97–117
Coventry, Ann, 249	dokimasia rhetoron, 60
Cover, Robert, 231	domestic violence, 32, See also intimate partner
COVID-19, 149, 297	violence
crack cocaine. See cocaine	Downs, Leroy, 205, 217
Crawford v. Washington, 119–120, 122, 126, 128,	doxa, 161
131–136	Draco, 42, 52, 54, 60
Crimes Act of 1790, 237	Dressler, Joshua, 283
criminal law, 218, 281	Criminal Law: Cases and Materials, 279–281,
Criminal Law: Cases and Materials. See Dressler,	284–290
Joshua; Garvey, Stephen P.	Due Process Clause. See United States
Critique of Practical Reason. See Kant, Emmanuel	Constitution
Crump Rep 217	
Crump, Ben, 217	
Ctesiphon, 58–60	Egypt, 196
Ctesiphon, 58–60 cultural biases, 184	1919 Revolution, 199
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278	1919 Revolution, 199 1952 Revolution, 200
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81,	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 Eissá, Ibrahīm, 201
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland,
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189 deference. See judicial deference	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188 Equal Protection Clause. See United States
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189 deference. See judicial deference Demosthenes, 58–60	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188 Equal Protection Clause. See United States Constitution
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189 deference. See judicial deference Demosthenes, 58–60 Against Aristocrates, 51, 59	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188 Equal Protection Clause. See United States Constitution equity, 27, 74–75, 91, 145, 187–188, 200
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189 deference. See judicial deference Demosthenes, 58–60 Against Aristocrates, 51, 59 Against Timocrates, 52	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188 Equal Protection Clause. See United States Constitution equity, 27, 74–75, 91, 145, 187–188, 200 inequity, 166, 174, 176, 185
Ctesiphon, 58–60 cultural biases, 184 cultural competence, 274, 278 cultural memory, 54 culture. See legal culture; rhetorical culture D.A. v. Texas Health Presbyterian, 72, 76, 78–81, 90–91 Dabbous, Sonia, 198 Damele, Giovanni, 101, 111 David Floyd. See Floyd v. City of New York Davis v. Washington, 122, 133–136 Davis, Kirsten K., 4 De Inventione. See Cicero, Marcus Tullius De Oratore. See Cicero, Marcus Tullius deadly force, 282, 290 death penalty cases, 143 decolonial studies, 193 deduction, 4, 71, 84, 100, 116–117, 189 deference. See judicial deference Demosthenes, 58–60 Against Aristocrates, 51, 59	1919 Revolution, 199 1952 Revolution, 200 1956 Constitution, 200 Personal Status Law, 200 Egyptian Feminist Union, 199 Egyptian National Parliament, 200 'Eissá, Ibrahīm, 201 election cases, 143 Eloquence of Mary Astell, The. See Sutherland, Christine Mason Elrod v. Burns, 152 emergency orders, 141 Employment Division v. Smith, 153 endeixis, 50 enthymeme, 97–117, 183, 187–188, 198 Epicrates Against Athenogenes, 53 epideictic rhetoric, 188 Equal Protection Clause. See United States Constitution equity, 27, 74–75, 91, 145, 187–188, 200

Erlichman, John, 238	Garner, Bryan A., 70–91, 97
Esposito, John L., 190, 193	Reading Law: The Interpretation of Legal Texts,
Essay Concerning Humane Understanding. See	72, 81–87, 89–91
Locke, John	Garver, Eugene, 18, 37
ethical surplus, 37	Garvey, Stephen P.
ethos, 17–38, 43, 54, 56, 58, 66, 119–137, 151, 249,	Criminal Law: Cases and Materials, 279-281,
251–256, 269, 295	284–290
as dwelling, 20	gender, 188, 191, 193, 197, 230–231, 251, 259–260,
extrinsic, 251–254	264–265, 268–271, 278
as indwelling, 26, 30, 35, 37	gender-nonconforming persons, 256
intrinsic, 251–255	Gilbert, Geoffrey, 125–126
eunoia, 18–19, 21	Ginsburg, Ruth Bader, 63
Euthycles, 51	glass ceiling, 199
executive privilege, 23	Glucksberg. See Washington v. Glucksberg
expert witness testimony, 279–281, 285	goodwill. See eunoia
extrinsic context, 77	Gordon, Thomas F., 100
eyewitness, 125, 279	Gore, Al, 21
-,,,, -/,	Gorgias, 73
fair housing, 167–170	Gorsuch, Neil, 35, 150, 153–154
Fair Sentencing Act of 2010, 234	Gottschalk, Marie, 238
Farber, Daniel	Government by Judiciary. See Berger, Raoul
Beyond All Reason: The Radical Assault on	grammar canon, 84
Truth in American Law, 276	Greece, ancient, 3, 6, 38, 53, 73, 156, 273–275, 295
Farewell Speech. See Muḥammad	Greek city states, 3
Farooq, Mohammad Omar, 188	Greek lawgivers, 53
Fātin Amal Ḥarbī (TV series), 201	Greek legal system, 156
Federal National Council of the United Arab	Greenberg Traurig, 252
Emirates, 181	grievability, 232, 242–243, 245
Federal Rules of Evidence, 126	Guantanamo Bay, 231
female infanticide, 191–193, 195	Stantanamo Bay, 251
Feminist Judgments, 8, 281	habeas corpus, 231
firearms, 46, 50	hadīth, 186–187, 194
fixation thesis, 31–33	Halgren, Guy N., 263
Florida v. Bostick, 211, 219	Hamilton, Alexander, 25
Floyd v. City of New York, 205–207, 210, 216–222	Hammon v. Indiana, 122, 133–136
Floyd, George, 206, 297	Hardwick, Michael, 62
Forensic Oratory: A Manual for Advocates. See	Harlan, John Marshall, II, 168–169
Robinson, William C.	Harris, Kamala, 170
formalism, legal, 7, 100	Harvard University, 6, 71, 76, 273, 279
Fourteenth Amendment. See United States	Hastings, Elizabeth, 249
Constitution	Hauser, Gerard A., 183
Fourth Amendment. See United States Constitution	headnotes, 286
Framers. See United States Constitution	hearsay, 119–137
frames of war, 229, 231, 235–239, 243–244	Hearsay Rule, 126–128
Frames of War. See Butler, Judith	Heidegger, Martin, 18–20
Free Exercise Clause. See United States	Heller. See District of Columbia v. Heller
Constitution	Herzberg, Bruce, 276
freedom of speech, 54	high crime area (ideograph), 211, 215, 219–220
Fuller, Lon L., 70, 82	Hizb al-Umah, 197, 199
Fuller, Patrick, 253, 268	Hobbes, Thomas, 75
furtive movements (ideograph), 211, 220	Holmes, Oliver Wendell, Jr., 71
rational internetion (ideographi), 211, 220	homicides, 288
Gagarin, Michael, 276	homosexuality. See same-sex attraction
Gaines, Robert N., 297	Hooker, Juliet, 217
Samo, 1000tt 11, 29/	, juice, 21/

House Judiciary Committee, 144	jurisprudence of rules, 28
Howe, Justine, 193–194	justice (ideograph), 211, 217, 220, 222–223
Huhn, Wilson, 43	_
Hunter v. Erickson, 165, 168–172, 177	Kagan, Elena, 17, 35, 37, 141
	kairos, 223
identification, 55–57, 215–216, 230–232	Kant, Emmanuel
identity formation, 230	Critique of Practical Reason, 76
ideograph, 205–224	Kapoor, Vetan, 154
ideology, 122–123, 130–131, 136–137, 190, 206–209	Kavanaugh, Brett, 150, 153
imaginary. See determinist imaginary	Kelling, George L., 213
imminence or imminent danger or threat, 279,	Kennedy, Anthony, 28, 38, 62–63, 165
282–283, 287–288, 290	Kennedy, George A., 3
indeterminacy, 70–91	Kerner Commission, 167
Indigenous rhetorical tradition, 4, 296	Kerner Report, 169
indwelling, 21, 26, 30, 35	khuṭbat al-wadā'. See Muḥammad, Farewell
inequity. See equity	Speech
influenza pandemic of 1918–19, 199	King, Martin Luther, Jr., 167
INS v. Delgado, 212	Letter from Birmingham Jail, 168
International Covenant on Civil and Political	Koran. See Qur'ān
Rights, 181	PT ()
International Covenant on Economic, Social and	l'Egyptienne (newspaper), 199
Cultural Rights, 181	Langdell, Christopher C., 71, 279
interpellation, 186	Larson, Brian N., 4, 6, 100
interpretation	last-antecedent canon, 79, 85
Biblical, 75	Latine rhetorical tradition, 4, 296
canons, 38, 76, 79, 81–87	law and literature movement, 7
constitutional, 17, 22, 28, 30	law as constitutive activity, 105
extrinsic aids, 87	lawgiver, 45
interpretation–construction distinction, 35	Lawrence v. Texas, 28, 38, 62, 65
legal, 17, 43, 47, 64, 72, 89, 98, 231	learned helplessness, 281, 286
Qur'ānic, 190, 194	legal education, 272, 274, 278, 288, 200
statutory, 28, 38, 72, 76, 81, 117 interpretation–construction distinction. See	legal education, 273–274, 278, 288–290 legal interpretation. <i>See</i> interpretation
interpretation	Legal Services Corporation, 250
interpretation interpretive-direction canon, 86	legal-ethical rhetoric of rights, 183
intimate partner violence, 133, 280–283	legislative history, 77, 84, 86
intrinsic context, 77	Leocrates, 46, 48
invention (canon of rhetoric), 71–74, 142, 144–153,	Leptines, 59
155, 274, 277	Letter from Birmingham Jail. See King, Martin
IRAC model, 102	Luther, Jr.
	letter vs. intent, 74–75
Jackson, Ketanji Brown, 57	Letters Concerning the Love of God. See Astell,
Jarratt, Susan, 275	Mary
Jefferson, Thomas, 53	liberty (ideograph), 206–207, 211, 218, 222
Jewel, Lucy, 4, 46, 55, 296	Liebenberg, Roberta D., 252–253, 269
Jim Crow, 243	Lincoln, Abraham, 237
John Hancock Financial, 253	Lithwick, Dahlia, 103
Johnson, Lyndon, 166	living constitutionalism, 27, 33
Jones, Catherine, 249	Llewellyn, Karl, 37
Jost, Walter, 20	LoBianco, Tom, 238
judicial activism, 115	Locke, John, 75, 119, 122–126, 135, 254, 256
judicial deference, 18, 23, 25–26, 29–30, 36	Essay Concerning Humane Understanding,
judicial restraint, 89–91	121–122, 124–125
judiciary, role of, 103	logographer, 45

logos, 17-18, 32, 36, 120-123, 125-126, 128-132, 136, Nādī Ḥizb al-Umah. See Nation's Party Club 256, 265 Nahdah, 195-199 Loizidou, Elena, 231, 233, 244 Naples's legal system, 159 London, 249, 254 Napoléon, 196 Loving v. Virginia, 64 narrative, 6, 29, 42-66, 105, 194-195, 217 narrowly tailored. See strict scrutiny Lucaites, John L., 208 Nāṣif, Malak Ḥifnī, 196-199 Lycurgus Against Leocrates, 46, 48 Nation's Party Club, 197, 201 Lysias, 51 National Advisory Commission on Civil Disorders, Macagno, Fabrizio, 101, 111 National Association for Law Placement, 260 Madison, James, 25, 53 National Public Radio, 217 Mahmmūd Pasha Sulīmān, 197 Nazi Germany, 237 Mahoney, Martha R., 281-283, 288 nearest-reasonable-referent canon, 80, 85 Majlis al-Ummah. See Egyptian National negative rights. See rights Parliament negligence, 77 Major, Lindsey & Africa, 264 Nevada Law Journal, 297 Malebranche, Nicolas, 263 New Deal, 72 New Science, The. See Vico, Giambattista Mancusi v. Stubbs, 130 Manning, John, 30 New York City, 215-219 Mansfield Rule, 271 New York Police Department, 206, 212, 217, 220-222 marriage, 38, 64, 191, 200 New York State Rifle & Pistol Association v. Bruen, Martin, Harry C., 283, 287 New York Times, 221 Martin, Trayvon, 217, 221 Masham, Damaris Newcastle upon Tyne, 249 Discourse Concerning the Love of God, 254 Nixon, Richard M., 23, 236, 238 mass incarceration, 232-233, 242 non-binary persons, 256 Mattox v. United States, 129-130 nonconfrontational homicides, 288 McFadden, Tervor N., 154 Norman, John Thomas ("J.T."), 278 McGee, Michael Calvin, 207-211, 223 Norman, Judy Ann Laws, 278 Norris, John, 254 McMurtry-Chubb, Teri A., 4, 46, 55, 296 North Africa, 182 memory, cultural, 54 memory, traditional, 54 North Carolina Supreme Court, 282 Mernissi, Fatima, 194 NYPD. See New York Police Department Merrill v. Milligan, 141 Mertz, Elizabeth, 278 O'Connor, Sandra Day, 213 metaphor, 160, 208, 236-237, 257-258, Obama, Barack H., 143, 218, 221 268 Obergefell v. Hodges, 29, 38, 61, 64, 110 Middle East, 181–182 Ohio v. Roberts, 120, 128-131 Mississippi Goddamn. See Simone, Nina On Invention. See Cicero, Marcus Tullius Montagu, Mary Wortley, 250 On Rhetoric. See Aristotle Moore v. City of East Cleveland, 52 On the Crown. See Demosthenes Mootz, Francis J., III, 4, 70, 275-276 On the Dishonest Embassy. See Demosthenes moral discord, 186 On the Soul. See Aristotle Moral Majority, 213 ordinary meaning, 17, 27 moral order, 184–186, 188, 198 orientalism, 182, 193 Moskal v. United States, 85 original meaning, 22, 24-27, 31-34, 52, Mount 'Arafāt, 187 MTV, 213 originalism, 17-38, 71, 108, 164 Muḥammad, 186-189, 197 Osler, Mark, 235, 242 Farewell Speech, 187-189, 197 Mulkey. See Reitman v. Mulkey Parents Involved in Community Schools v. Seattle multiculturalism, 276 School District No. 1, 170, 173

pathos, 17-18, 57, 66, 99, 121, 129, 258, 268

Muslim world. See Arab(ic)-Muslim world

patriarchy, 46, 55, 182, 184, 193-195	racial biases, 221
patrios politeia, 42	racial status quo, 166, 172
People v. De Bour, 212, 219	racism, 232
Perelman, Chaïm, 147	racist hierarchy, 239
Personal Status Law. See Egypt	Ratcliffe, Krista, 274, 277, 280, 289
Peters, Jean Koh, 278	Reading Law: The Interpretation of Legal Texts.
Phaedrus. See Plato	See Garner, Bryan A.; Scalia, Antonin
Philip of Macedon, 48, 58	Reagan, Nancy, 236
phronesis, 19, See practical wisdom	Reagan, Ronald, 214–215, 233, 236,
pistis/-eis, 18	240-242
plain language, 78	reasonable suspicion, 211, 220
Planned Parenthood v. Casey, 104, 109, 115	Rehnquist, William H., 52
Plato, 6–7, 46, 56, 73, 273, 276	Reitman v. Mulkey, 165–169,
Phaedrus, 56	172, 177
Plessy v. Ferguson, 166	related-statutes canon, 80, 86
Polemarchus, 51	reproductive rights, 52, 56, 102–117
police power (ideograph), 206, 208, 210–224	Rhetoric. See Aristotle
Pollock, Frederick, 84	rhetoric, definition of, 6
polygamy, 197	rhetorical culture, 207–209, 214, 216–222
positive rights. See rights	rhetorical listening, 274, 277–278, 280,
postmodernism, 99	289–290
Poulakos, John, 274–275, 277	rhetorical traditions
practical reason, 18–21, 23, 26–27, 30, 32, 34, 70,	African Diasporic, 4, 296
72–73, 76, 81, 83, 87, 89	Arabic-Islamic, 181–202
practical wisdom, 4, 18, 20	Asian Diasporic, 4, 296
precarious life, 229, 231, 239–243, 245	Indigenous, 4, 296
Precarious Life: The Powers of Mourning and	Latine, 4, 296
Violence. See Butler, Judith	traditional texts, 5
precedent, 28, 45, 55–56, 103, 111, 115–116, 144–145,	Western, 4–6, 44, 55, 66, 296
147–156, 209	Rhodes, 46
premises (argumentative), 97–98, 101	Rich Wilkin, 254
implicit, omitted, or hidden, 98, 100–101,	right to privacy (ideograph), 207
103–105, 111 Pricetor Regionalis as	Right to Privacy, The. See Brandeis, Louis B.; Warren, Samuel D.
Priester, Benjamin, 30	
Prior Analytics. See Aristotle	rights
privacy rights. See rights	in Arab(ic)-Islamic discourse, 185
progressive advocacy, 46 progressive movements, 44	epistemic, 197 fundamental, 49, 51, 62, 64, 106, 108, 110
Prophetic tradition. See sunnah	to learn, 197
Proposal 2 (Michigan constitutional	negative, 184, 188–190, 198
amendment), 164	positive, 184, 188–190, 198
prostitution, 60, 278, 283	privacy, 105–110
Protagoras, 274–275	unenumerated, 108, 110, 112, 114
PSL. See Egypt, Personal Status Law	vernacular discourses, 183, 187–188, 196, 199
psychologist, forensic, 285	women's, 181–202
psychology, abnormal, 286	Roberts Court, 47
psychotherapeutic discourse, 289	Roberts, John G., Jr., 47, 72, 143, 165
public arguments, 142, 146, 154	Robinson, Thomas M., 275
punctuation canon, 85	Robinson, William C.
, ,	Forensic Oratory: A Manual for Advocates, 76
quasi-logical reasoning, 99, 103, 116	Rockefeller laws, 233
Quintilian, 6, 19	Roe v. Wade, 81, 103, 107, 109, 111, 115
Qur'ān, 186, 189–195	Roman Catholic Diocese of Brooklyn NY
Qur'ānic interpretation. See interpretation	v. Cuomo, 142, 150–154
•	, , , ,

Rome, ancient, 6, 295	Sheppard Mullin, 253
history, 160	Sherry, Suzanna
legal arguments, 145	Beyond All Reason: The Radical Assault on
oratory, 160	Truth in American Law, 276
Romer v. Evans, 28	Shukrī, Amīnah, 200
Rountree, Clarke, 297	Sibron v. New York, 212
	Siegel, Neil S., 103
Salama, Samir, 181	Simone, Nina
same-sex attraction, 38, 61–64	Mississippi Goddamn, 168
same-sex marriage, 64	Sinsheimer, Ann, 223
Sanders, Steve, 176–177	Sixth Amendment. See United States Constitution
Saratoga Springs, New York, 250	Slaughter, Anne-Marie, 273
Scalia, Antonin, 18, 36, 38, 50, 57, 63–64, 70–91,	Snowden Leaks, 216
97, 119, 126, 131–133, 151, 153	social biases, 184
Reading Law: The Interpretation of Legal Texts,	social class, 270
72, 81–87, 89–91	social hierarchies, 231
Scallen, Eileen, 275	sodomy, 61–63
Schaeffer, John, 159–161, 164	Solon, 42, 52, 54, 59–60
Scharf, Stephanie A., 252–253, 269	Solum, Lawrence ("Larry"), 18, 31–36
Scheindlin, Shira, 206, 218–222	sophists, 4, 6, 73, 273–277
Schiappa, Edward, 274	Sotomayor, Sonia, 154
Schrag, Calvin, 20	soundness (logical), 113–115
Schuette v. BAMN, 158, 164–179	South Bay United Pentecostal Church v. Newsom,
Schuette v. Coalition to Defend Affirmative Action,	149
Integration and Immigrant Rights and Fight	Special Committee on Legal Aid Work, 250
for Equality by Any Means Necessary. See	speech, freedom of, 54
Schuette v. BAMN	Sprague, Rosamond Kent, 275
scripts, cultural, 230–232, 242, 245	stained-glass ceiling, 199
Seattle. See Washington v. Seattle School District	stand your ground legislation, 217
No. 1	stare decisis. See precedent
Second Amendment. See United States	stasis of quality, 192
Constitution	State v. Norman, 274, 278–290
Security Council Resolution 1325 on Women,	statutory construction. See interpretation
Peace and Security, 181	statutory interpretation. See interpretation
Segall, Eric, 30, 35	stereotypes, 179, 184, 274, 281, 283, 285, 288, 290
segregation, 232	Stevens, John Paul, 29, 87, 216
segregation, de jure, 173	stop-and-frisk policies, 205–224
self-defense, 46, 49, 279, 282–287	Story, Joseph, 71
Seligman, Martin, 281	strategic ambiguity. See ambiguity
sensus communis, 158–179	strict scrutiny, 106, 108, 112, 166, 173
Sentencing Reform Act, 234	Strict Scrutiny (podcast), 57
September 11, 2001, 216	Students for Fair Admissions v. Harvard, 166
series-qualifier canon, 80, 85	subjectivity, 7, 100, 121, 125, 128, 130, 134, 136, 186,
Serious Proposal to the Ladies, A. See Astell, Mary	230, 290
sermo, 249, 256–257, 262, 267–269	suicide, assisted, 52, 110 sunnah, 186, 188
Sextus Empiricus, 275	
sexual abuse, 265 sexual harrassment, 265	Supreme Constitutional Court of Egypt, 201 surplusage canon, 85
shadow docket, 141	surveillance, 216
Shafiq, Durrīyah, 200	Sutherland, Christine Mason
Shāh's, Ḥusn, 200	Eloquence of Mary Astell, The, 249
shared identity, 55	Syed, Khalida Tanvir, 190, 194
sharī'a law, 181, 187	syllogism, 4, 97–117, 188, 192
Shaw, Kate, 57	Syria, 196
onaw, Nate,)/	0,110, 190

Taḥt al-Uṣāiyah (TV series), 201	United States v. Booker, 234
Taylor, Charles, 71	United States v. Virginia, 63
Taylor, John Pitt, 125	University of Naples, 159
Teachers Insurance and Annuity Association of	unreasonable searches and seizures. See United
America, 253	States Constitution, Fourth Amendment
techne, 19	Urīd Hala (film), 200
Terry stops. See Terry v. Ohio	Urīd Ḥala (newspaper column), 200
Terry v. Ohio, 212, 219	ūṣīkum bil-nisā' khaīran, 183, 187–189, 198
testimonial statements, 131, 134	USSC. See United States Sentencing
Texas Court of Appeals, 72, 78–81	Commission
Texas Health Presbyterian v. D.A.,	1:1: (1 : 1)
72, 76, 87–89, 91	validity (logical), 113–115
Texas Supreme Court, 87–89	veil, 197
textual integrity, 25, 29	vernacular rhetorics, 182–184, 187–188,
textual interpretation. See interpretation	196, 199
textualism, 71, 76–77, 90	vernacular rights discourses, 183, 187–188,
Thirteenth Amendment. See United States	196, 199
Constitution	Vico, Giambattista, 158–164
Thomas, Clarence, 150, 153	New Science, The, 161, 164
Thompson v. Travanion, 125	Virginia Military Institute, 63
Timarchus, 60	Virginia, Commonwealth of, 64
Tiscione, Kristen K., 4, 6	VISA, 253
Topica. See Cicero, Marcus Tullius	Vladeck, Stephen I., 143, 152–153, 155 Voting Rights Act, 141
<i>topos/-oi</i> , 20, 43, 142, 144–147, 150, 152–154, 183–184, 187, 190, 195–197, 295	voting rights het, 141
tradition, 5, 42–66, 89–91, 160	Wacquant, Loïc, 242–243
traditional memory, 54	Walker, Lenore, 281
Trump, Donald J., 36	Battered Woman, The, 286
tyrant custom, 257, 259	Walking Out the Door: The Facts, Figures, and
·y, = -y	Future of Experienced Women Lawyers in
underdeterminacy, 70–91	Private Practice, 248–272
unenumerated rights. See rights	Wallace, George, 178
ungrievability. See grievability	Wal-Mart Stores, Inc., 253
United States Census, 243	Walton, Douglas, 100
United States Constitution, 21–27, 30–37,	war on drugs, 213–214, 217, 222, 229, 233, 235–242,
49, 54, 71, 76, 90, 98, 104, 127–128,	244
131, 147, 210	war on terror, 217, 237
Article III, 90	Warren Court, 23, 72, 178, 213
Confrontation Clause, 119–120, 131–134	Warren, Samuel D., II, 106
Due Process Clause, 23, 52, 61, 104,	Right to Privacy, The, 106
110-111	Washington v. Glucksberg, 49, 52, 110–112
Equal Protection Clause, 158, 165–168, 170, 173,	Washington v. Seattle School District No.
176, 206, 209	1, 165, 170–174, 177
First Amendment, 54, 149, 152	Western rhetorical tradition, 4-6, 44, 55,
Fourteenth Amendment, 22, 25, 51, 65, 104, 110,	66, 296
112–113, 165–166, 206, 218	Wetlaufer, Gerald, 7
Fourth Amendment, 206, 211, 218–219, 223	white supremacy, 46, 166, 172, 174, 178, 239,
Framers, 20, 22–26, 33, 37, 53, 57, 73,	242-243, 245
112, 131	White, James Boyd, 7, 105, 155
Free Exercise Clause, 149, 152–153, 155	Whitney v. California, 54
Second Amendment, 29, 46, 49–50, 53–54	Whren v. United States, 215, 219,
Sixth Amendment, 119, 127, 131–132	238–239
Thirteenth Amendment, 211	will (testament), 74
United States Sentencing Commission, 234–235	willful and wanton negligence, 78

Williams, Patricia J., 7 Wilson, James Q., 213 women in the legal profession, 248–272 women of color, 109, 250 women's rights, 181–202 World War II, 236 Yale University, 76 Yankah, Ekow, 221 Yūnis, Ilhām, 201 yuppies, 213

Zimmerman, George, 217