

OBITUARIES

William Kunstler, Fierce Defender Of Radical Causes, Dies at Age 76

By Richard Pearson
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William Kunstler, 76, a raspy-voiced rebel who was the legal paladin for generations of famous and infamous personalities and causes, died of cardiac arrest Sept. 4 at Columbia Presbyterian Hospital in New York. Mr. Kunstler, who had a heart ailment, had been hospitalized since Aug. 28.

Over the years, Mr. Kunstler had defended civil rights "Freedom Riders," Black Panthers, Yippies and others opposing what they viewed as constitutional injustices.

Mr. Kunstler was widely known for representing society's outcasts and pariahs. But his clients also included such celebrities as the Rev. Martin Luther King Jr.; Phillip Berigan, the peace activist and former Catholic priest; and comic Lenny Bruce. He defended Jack Ruby—who shot President John F. Kennedy's assassin, Lee Harvey Oswald—and he was a pallbearer at Ruby's funeral. In recent years, Mr. Kunstler counted New York mobster John Gotti among his clients.

Mr. Kunstler rose to fame as the lead attorney for the "Chicago Seven," peace protesters who were charged with disrupting the 1968 Democratic National Convention in Chicago. The courtroom took on an almost circus-like atmosphere as lawyers engaged in verbal combat with Judge Julius J. Hoffman. Although the jury acquitted the defendants of conspiracy (but found five of them guilty of incitement), the judge had his own thoughts on the matter.

He handed out contempt-of-court sentences, 181 of them in all, including ones that would have resulted in Mr. Kunstler spending more than four years in jail. Appellate courts eventually threw out all the jail sentences.

In his 1994 autobiography, "My Life as a Radical Lawyer," Mr. Kunstler wrote that the Chicago Seven trial transformed him from a "middle-class liberal"—who focused on the First Amendment rights of defendants and acted with decorum—into a "battler rather than barrister" who sought to put the government on trial in and out of the courtroom. He added that when he was confronted with a tyrannical judge, he learned a hard lesson: "The judicial system in this country is often unjust and will punish those whom it hates or fears."

William Moses Kunstler, a New York native, was a 1941 Phi Beta Kappa graduate of Yale University, where he majored in French, and a 1948 honors graduate of Columbia University law school. During World War II, he was a major in the Army and served in the Pacific as a signals intelligence officer.

He helped work his way through law school by writing book reviews for such publications as the New York Times and the New York Herald Tribune and by teaching a Columbia University writing class. After law school, he spent a few months as a management trainee with Macy's department store before opening a New York law office with his brother. In the 1950s, he worked on wills, divorces, real estate law and other everyday legal problems, and he also wrote legal texts.

He later said that he became "bored out of my skull."

He had done some work for the American Civil Liberties Union, and in the early 1960s, it asked him to travel to the South to work with lawyers defending civil rights cases. He



WILLIAM KUNSTLER

became surprisingly successful, using dusty laws of the Reconstruction era to have cases moved from the state to federal courts. He later explained how he came to admire the Freedom Riders, how he came to advise and defend such leaders as King, Stokely Carmichael, H. Rap Brown and Malcolm X. He became an attorney for the Congress of Racial Equality and a special counsel to King's Southern Christian Leadership Conference.

He represented Rep. Adam Clayton Powell (D-N.Y.) in his battles to avoid being forced to leave Congress. He also won a federal court ruling against what he contended was the "de facto" segregationist "track" system in the D.C. public schools.

In the 1970s and 1980s, Mr. Kunstler, a consummate showman, agitator and activist, almost seemed to disappear from the public scene. It seemed that his day had passed. But in recent years, he had returned to headlines as the champion of another generation of controversial people.

Those clients included Egyptian immigrant El Sayyid Nosair, accused of murdering Rabbi Meir Kahane, the radical Jewish activist. He won acquittal for Nosair, and that was said to have surprised even Mr. Kunstler, because witnesses said they had seen the defendant run from Kahane's room with a gun.

Mr. Kunstler also helped defend Nosair's cousin, Ibrahim A. Elgabrowni, who was a suspect in the World Trade Center bombing, and Siddig Ibrahim Siddig Ali, who was said to be the leader of a plot to bomb the United Nations.

He won acquittal for Larry Davis, who was charged with trying to kill nine New York police officers, and he helped defend Colin Ferguson, who was convicted of killing six passengers and wounding 19 in a 1993 shooting rampage on a New York commuter train. He helped formulate a deal whereby federal prosecutors set aside murder-conspiracy charges against Qubilah Shabazz, a daughter of Malcolm X, after she was accused of hiring a gunman (who turned out to be a government informant) to kill Nation of Islam leader Louis Farrakhan.

He lived modestly, raising money for most of his clients rather than billing them. He lived on money received from his speeches, television appearances and writing.

Although his clients and causes often seemed wildly unpopular, he had a philosophy that guided him. He once explained that "the government is always the main enemy. I believe that government is evil. My role is always to fight it. Always be a burr under the saddle. That's all. There is no real revolution."

Survivors include his wife and four children.