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William Kunstler and The Calls of the Wild

The Lawyer-Star, Performing for Clients From the Chicago 7 to John Gotti

By David Von Drehle
Washington Post Staff Writer

PHONES don't ring right anymore. When he got into this . . . thing . . . this strange thing that he does . . . this wild, sometimes very heavy thing that he does, man, back then phones rang. Brassy bell sound. BBBBBBBBBBBBBBBBBGGGG!!! And it was Martin on the other end of the line, or Malcolm. It was Stokely or Rap or Abbie. It was Lenny Bruce or Phil Berrigan or Russell Means. BBBBBBBBBBBBBBBBBGGGG!!! Middle of the night, sometimes. Calling their lawyer, man. Calling Kunstler.

Now phones chirp or beep or boop or warble or chime or buzz. They tweet in Kunstler's basement office. Twwwweeeeeeet! Twwwweeeeeeet! An-

noying sound, lacking drama. You think Clarence Darrow's phone went "tweet"? Kunstler endures, striving as always to make his life a great performance—he is a lawyer who lists motion picture credits above major cases on his résumé—but the props, the sets, seem somehow inferior these days.

"A lawyer must always know two things," he says sagely, in that incredible basso profundo of his, rumbling and lipping simultaneously. "Where's the men's room, and where's the phone." The phone is a critical element of the Kunstlerian drama, yet . . . phones nowadays! Bloodless electro-techno-tweet.

But mark this: They're still calling. Thirty-plus years after he defended his first Freedom Rider, 20-plus years after he played ringmaster of the greatest courtroom circus of our time—the Chicago 7 conspir-

acy trial—William Moses Kunstler is still fielding phone calls from the outrageous, the despicable, the oppressed. The Great Age of Protest waxed and waned, the longhairs rose and fell, the Revolution fizzled. Bill Kunstler is still agitating. The incorrigible Radical Recidivus is still on the case.

Twwwweeeeeeet!

Kunstler stops in mid-soliloquy and grabs at the phone. The caller immediately hangs up. Routine harassment. The latest round started after Kunstler and a colleague beat a murder rap against El Sayyid Nosair. The prosecution had eyewitnesses saying Nosair killed the militant Rabbi Meir Kahane. The cops captured Nosair with a gun inches from his hand. Nosair virtually confessed in a newspaper interview. Against all that, Kunstler offered some vague

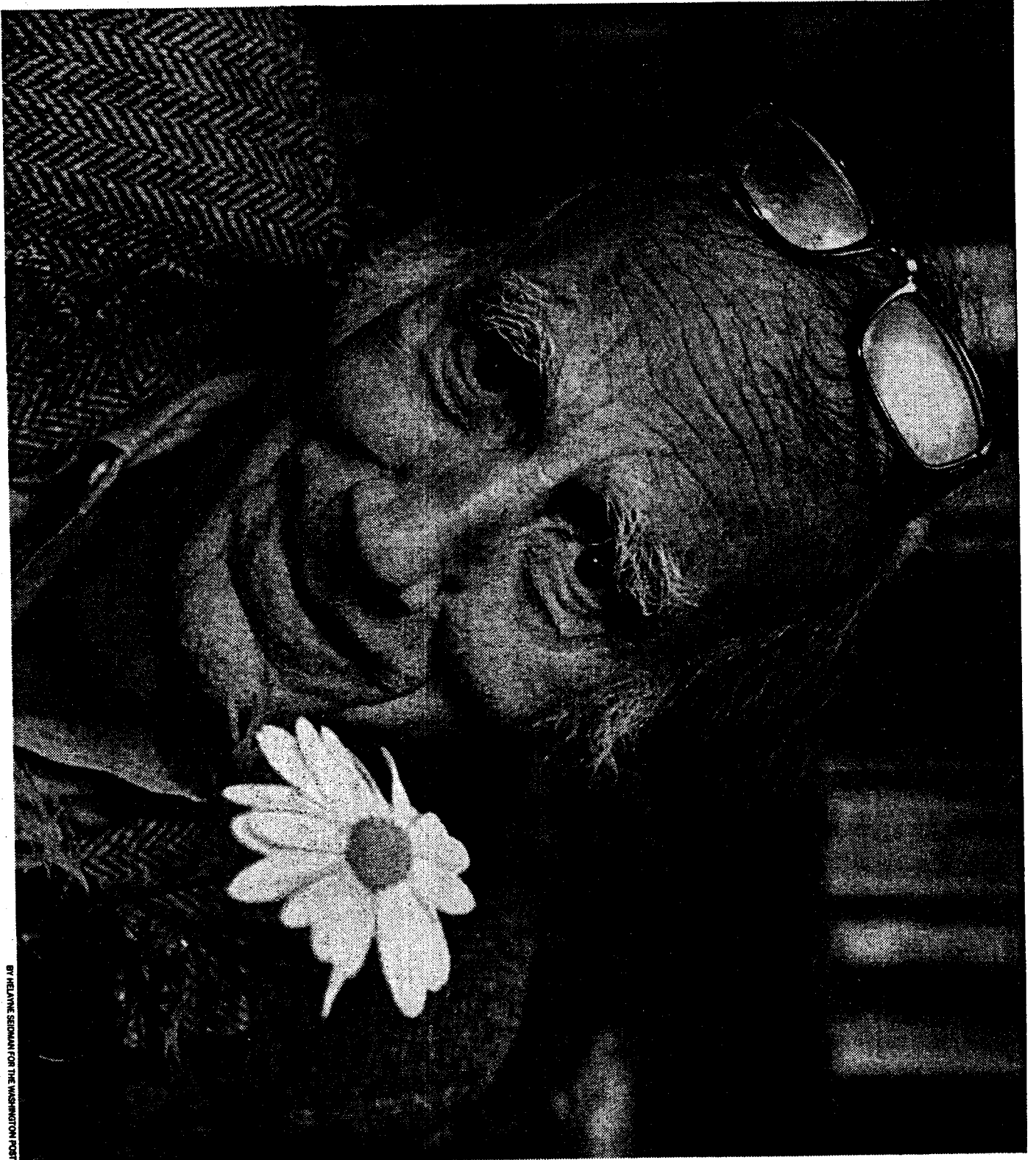
See KUNSTLER, C6, Col. 1



William Kunstler, right, hugs "Chicago Seven" defendant Jerry Rubin in 1973.



Kunstler with SNCC aide Lester McKinney in 1968 after a hearing in the trial of H. Rap Brown.



BY HELENE SEIDMAN FOR THE WASHINGTON POST

theory about a conspiracy to frame an Arab defendant. The victory surprised even Kunstler.

Twweeeeeet!

The call is from prison. "We're going to get you physical therapy for your shoulder," he gently tells the client. Digging through the mess on his desk, he lowers his half-lens reading glasses from the wispy tangle of gray hair on his wrinkled head. He finds a yellow pad and peers at his notes. "The doctor wants to give you Motrin." Then he cradles the phone and confides that the caller was Yusef Salaam, the tall, good-looking kid who—with a gang of pals—raped a jogger in Central Park and beat her nearly to death.

Twweeeeeet!

A caller is interested in "peace with Cuba." Big rally coming up. It's hardly a rally in New York until Kunstler arrives.

Tweet, tweet, tweet. This shrill cacophony may be low drama, but low drama is better than no drama. Each call carries the hope of some new chance to stir up trouble. A summons to defend some loopy Maoist's right to burn the American flag, maybe. Or an invitation to wade into alleged supermobster John Gotti's judicial travails—followed inevitably by another Page 1 story in the Daily News. Or, if the heavens smile, perhaps another case to match the most spectacular tweet of recent years: the 3 a.m. call from Marlon Brando. The boyfriend of Brando's daughter had just been shot by Brando's son; the actor was giving mouth-to-mouth even as he dialed Kunstler.

There is a photo of Kunstler and Brando on the wall of his cluttered office in Greenwich Village. A photo of Kunstler and Costa-Gavras, the filmmaker. A photo of Kunstler at Attica. A photo of Kunstler taken by Richard Avedon ("they tell me that's worth \$10,000"). A photo of Kunstler, fist extended, on the steps of the Supreme Court after his victory in the flag-burning case. A photo of Kunstler with Desmond Tutu.

Visitors to the office have plenty of time to survey this gallery; meetings, regardless of the business at hand, are constantly interrupted by the phone. Between the interruptions, Kunstler rambles. Laughs uproariously. Free-associates. Feigns outrage. Blusters. Filibusters. The world slips away, the light drains from the afternoon sky, and still he talks. All his old comrades have faded away. Why is he still around?

The Ubiquitous Attorney

Question: When celebrities drop from the public eye, do they continue to exist? Your brain says, yes, of course, a former famous person con-

tinues to ambulate and occupy space. Ontology does not recapitulate photography. But your gut says no. A celebrity without fame—is nothingness. This is why we are endlessly fascinated by the mere discovery of forgotten celebrities; the American media are full of such finds, headlines along the lines of BARDOT: STILL SEXY AT 60 . . . GIDGET'S A GRANDMA . . . LIFE GOES ON FOR FORMER TV TYKE.

About 10 years back there was a flurry of these stories published about Bill Kunstler. They all shared one theme: Remember Kunstler, the outrageous hippie lawyer? Well, he still exists. And that would have been it, no more ink until the obituaries, but for an unexpected turn of events. Kunstler reappeared, like some totally excellent surfer.

You see him atop the wave, poised on the curl like a god, and then the water bends over him and he vanish-

es, the wave swallows him up, then—remarkable!—the briny subsides and he's still on the board. The tide of history obscured Kunstler in the middle '70s. The Radical Left seemed drowned in a sea of Reaganism. Then the water fell and there was Kunstler, noodling away at Iran-contra even before we knew there *was* an Iran-contra; waltzing drug dealer Larry Davis past charges he tried to kill six police officers; suing subway gunman Bernhard Goetz on behalf of Darrell Cabey, a wounded punk; hanging ten for El Sayyid Nosair.

Suddenly, he's *everywhere*. In a single 24-hour stretch recently, Kunstler, now an improbable 73 years old:

- Whipped up a writ of mandamus on behalf of Gotti, America's most famous alleged Mafia don, arguing Gotti had been denied his Sixth Amendment right to counsel.

- Faxed a set of letters to reporters explaining why his latest contempt-of-court citation had been settled by paying the fine rather than going to jail.

- Clipped a story from the New York Times recording his court appearance in Connecticut on behalf of a convicted murderer.

- Tried, unsuccessfully, to visit the publishers of the book behind Oliver Stone's film "JFK." (Kunstler played himself in Stone's movie "The Doors" and plays a judge in Spike Lee's upcoming bio-flick "Malcolm X.")

- Engaged in a dab of legal research for his defense of an alleged drug dealer.

- Placed an encouraging call to the lawyers suing New York State over the deadly aftermath to the 1971 Attica prison riot.

You get the idea.

When nine young people were

crushed to death in December at a rap music celebrity basketball game, every reporter in town wanted a word with the promoters. At last they appeared for a press conference. The press waited impatiently.

Finally, Heavy D ambled in, wearing dark glasses and a pair of jeans drooping about his substantial hips, followed by the skeletal Puff Daddy. Laurel and Hardy fight the power. And Kunstler. Him again! It's just like the old days; he has a finger in every pie.

Well, it's sort of like the old days. Sticklers could name a number of differences. Again, the props seem somehow inferior. There are, for example, certain undeniable contrasts between former and present clients, between, say, the Rev. Martin Luther King Jr. and Mr. Heavy D. Between the anti-war Chicago 7 and a rapist like Salaam. Between the Freedom Riders and the godfather.

Kunstler realizes this. You might say he rationalizes. But it sure beats vanishing.

"I worried I would become an anachronism," he says. It is a cold Saturday afternoon, and he is dressed haphazardly in lawyerly gray trousers, a poet's tweed jacket and an embroidered denim shirt of the sort a worker-priest might favor.

Kunstler lives with his second wife and two teenage daughters in Manhattan. Money has never meant much to him; he lives on about \$90,000 a year—which he earns from speaking fees, freelance writing and the occasional paying client.

"Sure, these cases aren't Martin Luther King, but they're still interesting. They're still exciting. It is a different part of the struggle. Take Gotti, for instance. There, we're fighting for his freedom to choose a lawyer. It is a chance to beat the government.

"That's the key: The government is always the main enemy. I believe that

government is evil. That Lord Acton's theory of power is correct—it corrupts, it moves to maximize itself. My role is always to fight it. Always be the burr under the saddle. That's all. There is no real revolution."

Camera, Action, a Light

Let's roll some rough footage from the grand drama that is his life. (Produced and directed by Kunstler. Starring Kunstler. In KunstlerVision.)

Jumpy, grainy images from the '30s. Billy Kunstler is the clever boy with the devilish demeanor. Grandpa is the distinguished gentleman standing next to the mayor. Jimmy Walker's personal eye-ear-nose-and-throat doctor. In Grandpa's office there is half a human head in a jar of formaldehyde. When Billy is bad, Mom says, "Straighten up, or you're going to have to see the head!" Actually, Billy kind of likes the head.

Scenes of Yale. Enter the Class of '41. There's Kingman Brewster, future president of dear old alma mater. And over here, Paul Elmer Moore, who will one day be bishop of the Episcopal Church in New York. See the glimmer of righteousness in those clear eyes! That one is James Angleton, future CIA super-spy. And here comes Bill Kunstler, his book of syrupy sonnets under his arm. "You ask, 'can we transform/ Or change, can we, so young, so old, reset/ Our course?' But some must sound the still alarm." Oh, the English professors love him so.

Shift to newsreel. Deep, portentous narrator's voice: "Leyte, the Philippines. As Yankee bombers pound the stubborn Nippon devils, brave American fighting men brace for the invasion of Japan. Behind the lines, dedicated members of the cryptographic corps prepare top-secret codes under the leadership of Major William Kunstler, winner of the Bronze Star." Kunstler's the one who seems like he's loving every minute.

Okay. This next part looks a little bland. It has that bleached-out quality common to images shot with a suburban Super 8. That's Kunstler, Columbia Law grad; that's his first wife, Lotte; that's their house in Westchester County. Okay. Now he's kissing the wife goodbye, hugging the two girls and setting off on his commute to the city. It's exactly the same every day. Here's his office on Fifth Avenue. That's his brother, Michael, the other half of Kunstler & Kunstler, attorneys at law. The little old lady walking through the door needs a will. This next guy wants to close on a rental property. Okay. These two want a divorce. This last shot is of Kunstler

writing a book at night. The book is titled "Corporate Tax Summary."

We're looking at old television film now, black-and-white. Everyone has short hair and a tie. Wait! Here come the rednecks. They're beating up the nice people in ties. Black, white, everyone is getting pounded. Now we're in a courtroom. Bill Kunstler is the one standing up. The scene played out over and over, across the South. Let's

listen to the soundtrack from a South Carolina trial:

Kunstler: "... the 14th Amendment to the Constitution."

Judge: "Now, what constitution would that be, Mr. Kunstler?"

Kunstler: "The United States Constitution, Your Honor."

Judge: "Well, we don't hold much with that document down here."

Now we're cross-cutting images. Kunstler, staff counsel to Martin Luther King. King looks so serious. Kunstler and Malcolm X. They're laughing at something Malcolm said.

Now we're in color. Walter Cronkite sounds concerned as he introduces the wildest story of the year: the trial of a motley band of Yuppies, SDS leaders, a pinko professor and a Black Panther. Allegedly, they conspired to incite a riot at the 1968 Democratic National Convention. What a scene! Here's Abbie Hoffman waving a Vietnamese flag in court. That's Jerry Rubin with his head shaved, mocking bald Judge Julius Hoffman. The defense table is piled with envelopes; hippies across the country are mailing hair for Jerry and the judge.

What?! This envelope is full of marijuana. That's Kunstler rising at the defense table: "Your honor, as an officer of the court, I wish to inform you that we are in receipt of an amount of what appears to be a leafy green vegetable substance; I would say, perhaps, cannabis." The judge is irritated. You're a lawyer, he says. Get rid of it. "Your honor, I shall see to it personally that this is burned tonight."

Whooooo! Copies of the New York Times are falling one on top of the other as the camera rolls. It is 1970. Psychedelic music is wailing in the background. Everything has a number: Chicago 7, Catonsville 9, Panther 21. Fat newspapers dropping, thump-thump-thump, more than 100 in a single year, and every one of them has Kunstler's name in it. The Most Famous Lawyer in the Universe!

Lights up.

Barometer, or Burr, or ... Bored

Kunstler was defending himself re-

cently against the suggestion he's a harlot for the media. "I would never pose for a picture that was undignified," he said. But Bill, an associate parried, what about the magazine photo of you sitting next to a homeless person who was wearing a fake red nose? "I would sit with a person in a big red nose," he said, "but I would not wear the nose myself."

He often provides the comic relief in the drama that whirls around him. Life's an amusement to Kunstler; he laughs deeply and easily, and explains his soft spot for Malcolm X by saying, "Malcolm had a sense of humor."

But plenty of people see him as the villain. Protests in front of his town house are commonplace—by Kahane's followers, by Goetz supporters; whoever's outraged at a given moment. His defense of Nosair has been called "amateurish" by his arch-nemesis Alan Dershowitz and "antisemitic" by any number of his fellow Jews. His

unceasing stream of sound bites on the oppressiveness of mainstream America has a way of turning people off.

His favorite role is the romantic lead. He hugs everyone he can get his hands on, from federal judges to the women at the courthouse who make his egg salad sandwiches. Hugs and kisses them. "Not dry, cheeky kisses, either, but big wet ones," one of his targets recalls.

Whatever the role, he fills the screen. Good parts, bad parts, it doesn't matter. He is unchanging, the Bruce Willis of agitprop law. But you might wonder what it all amounts to.

Proposition: In our national sense of ourselves, we are a people who have gone from purpose to apathy, coherence to fragmentation, order to chaos, in the space of a few decades. Through a sepia wash, we see a time of immigrants who busted their humps to make something of themselves and send their kids to the Ivy League. And those children valiantly trounced Hitler and built stable families in the suburbs.

Then came the early 1960s, when the civil rights movement brought a comfortable nation face to face with ugliness. The sense of purpose that came from conformity was replaced by a sense of purpose in confrontation.

And then riots in the streets, and shaggy kids fornicating, and the president was a crook. Purpose, idealism, political vitality, gave way to a sluggish flow of anger and apathy.

This weird shift rode into our lives on the backs of Kunstler's generation. He was a perfect, if unwitting, barom-

eter.

Fruit of Jewish German immigrants, rubbing elbows at Yale with proto-WASPs like Brewster. Raised on the American Dream, fighting for it, loving it, in the Last Great War. Came home and bought a house in the suburbs, started a family.

And what?

"I was bored out of my skull."

America was bored out of its skull! You can see it in the spontaneous combustion of the 1960s. Sex? The country went crazy for sex. Kunstler was there, blasting out of the Eisenhower years like a teenager with a big back seat. "In those days, you remember, it was free sex," he says wistfully. "It was all very wild. I spoke on many, many college campuses, and there were many beautiful young girls"—he corrects himself—"young women who would make themselves available to me. I was a star. It happened all the time. What was I to do?"

And drugs. Back then they were glamorous. At the office Christmas party one year, Kunstler rolled up his sleeve in the bathroom and let Lenny Bruce inject him with heroin. Big mistake—the lawyer spent the next five hours puking on the sofa in his office.

For a time there, the glamour and the sex and the violence and the drugs all seemed to have some political point. In fact, it was just a sort of anti-politics, which soon enough became a listless, disillusioned quietude. Kunstler is a man for the anti-political age.

"Despite what the public thinks, Bill

has absolutely no politics," says Henry Schwarzschild, an ACLU activist who has known Kunstler since the Freedom Rider days. "He has embraced whatever was radically chic at the moment. I like Bill. I think he is a devoted constitutionalist, with the fervor of a high school civics student. And he genuinely believes that the underclasses are screwed over by the brutal establishment. But he has no systematic politics.

"I think, in some peculiar sense, Bill has always been on the side of the angels—but he has been very bad for the left," Schwarzschild says. "The passionate social politics of the 1960s were transformed, by Bill and others like him, into theater. Dadaist, frivolous theater, rather than serious political-moral passion."

Most people have been discombobulated by this shift from political intensity to political vacuity. Even most radicals. Jerry Rubin became a businessman, Rap Brown a blissed-out Muslim imam, Stokely Carmichael a

ranting ultra-separatist, Jane Fonda the aerobicized wife of a tycoon.

But Kunstler stayed the course. He wasn't discombobulated by the deterioration of politics because he never really gave a flip for them in the first place. All he has desired from life are the twin thrills of fame and friction.

It is "unfortunate," he says, that America lacks idealism these days, and that the old movement is beached and rudderless. "There is no one thing to focus on, like the Vietnam War or segregation. That would give us more of a sense of an ideal.

"But I find myself coming back more and more to the Melville idea: The White Whale is unconquered and unconquering," he adds. "All there is is the eternal fight, never ending, in every epoch and every age. The idea is not to lose the energy to resist."

All for Love?

So Wild Bill Kunstler has no more of a platform than the Republicrats he despises. Yes, he loves the Oppressed, but diffusely, much the way Clinton and Bush love the middle class. The difference between them is that Kunstler's rhetoric was never intended to be a political program. It has been, instead, a way of getting in the government's face, and the photographers' viewfinders.

He hates the government the way a 15-year-old hates authority. Indeed, Kunstler is, when you get down to it, a gray-haired, craggy-faced, overgrown kid. Think of a teenager: Idealism of an unfocused sort, rebellion without clear direction, a passion to be noticed, spontaneous genius offset by reckless abandon, exuberance and enthusiasm.

That's Kunstler.

And adolescents want you to hug them after they wreck your car. Kunstler—who once raised a toast at a party for a Mafia don, bellowing, "Here's to crime!"—would like "everyone to be a friend." He even wants the protesters outside his house to be his friends. He orders coffee and rolls for them.

"I sound like some big lawyer in the courtroom, trying to advance the cause of evil," he says. "But underneath it all I just want everybody to love me."

Twawweeeet!

The phone again. The wife of a client is calling and Kunstler has good news. "I got him a two-week delay before he has to report to prison," he exults. "Just by schmoozing on the phone!"

The client's wife says something. "Wait!" Kunstler cries. His eyes flash with boyish zest as he stabs the speakerphone button with his index finger.

Maybe these newtangled phones aren't so bad. "Say that again," he orders. "Say it again!"

A disembodied voice booms from the speaker. "I love you, Bill," it says. "I love you!"

Kunstler jams the button again and grins at the scribbling reporter on the sofa. "Did you get that?" he asks. "Did you hear what she said?"

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Kunstler Carries On

KUNSTLER, From C1

THE WASHINGTON POST



Lawyer William Kunstler with Christian Brando in May 1990.

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