

The Defense Cannot Rest

Storied lawyer William Kunstler is cross-examined by his filmmaker daughters

by Keith Goetzman

EMILY KUNSTLER AND SARAH KUNSTLER are proud of their late father, and understandably so. He was William M. Kunstler, the defense attorney who became a progressive hero in the '60s and '70s for defending civil rights protesters and antiwar activists, disenfranchised prisoners and sovereignty-seeking American Indians.

But Emily and Sarah are also critical of their father—and again, understandably. He also defended terrorists, cop shooters, and Mafia masterminds.

This high-profile paradox is at the heart of *William Kunstler: Disturbing the Universe*, a documentary film directed by the Kunstler sisters. The carefully constructed movie manages to be several things at once. It is an ode to a father's life, yet it dares to question his motives. It is a documentary, but also a biogra-

WEB EXCLUSIVE: Read a full interview with Emily Kunstler and Sarah Kunstler at utne.com/Kunstler.

phy of a firebrand lawyer and a family memoir. And it traces several pivotal episodes in U.S. social history without feeling like a lecture.

William Kunstler built his formidable reputation before Emily and Sarah were born by fighting on the legal front lines of key civil rights and antiwar court cases. He defended the Freedom Riders, the black activists who defied segregation laws. He defended the prisoners who took over Attica Prison in a bid for better conditions. He defended the American Indian leaders who were tried for the 1973 incidents at Wounded Knee, South

Dakota. And in one of his more famous turns, he was the lawyer for the antiwar activists known as the Chicago Eight in a trial that turned into absurdist political theater.

The film's synopsis of these milestone events is a power-packed treatise on the 1960s that, refreshingly, is *not* about sex, drugs, and rock and roll. Absent the usual cultural commentary, it's amazing and spine-tingling to see the Freedom Riders take their places at a whites-only lunch counter, police storm Attica in a deadly surge, and—in courtroom illustrations—Black Panther leader Bobby Seale bound and gagged in front of judge and jury at his own trial.

"It helps to see all [these events] together and to draw connections between those movements," says Emily Kunstler. "At the very least, our father's life is a great storytelling vehicle for these major moments in American social history of the last 60 years. He moved in and out of these worlds."

After setting the stage with William Kunstler's glory days, the film introduces a new element: doubt.

When the great lawyer began to take on clients with especially unsavory baggage, his daughters started to question his judgment and push back. They chafed particularly at his decision to defend Larry Davis, who shot six police officers; Yusef Salaam, one of the youths accused (and later exonerated) in the infamous Central Park jogger case; and El-Sayyid Nosair, who was convicted in the 1993 World Trade Center bombing and the murder of Israeli politician Rabbi Meir Kahane.

"Dad's clients gave us nightmares," Emily explains in the film's voiceover narration. "He told us that everyone deserves a lawyer—but sometimes we didn't understand why that lawyer had to be our father."

The Nosair case, in particular, felt not just wrong but dangerous. Protesters often massed outside the

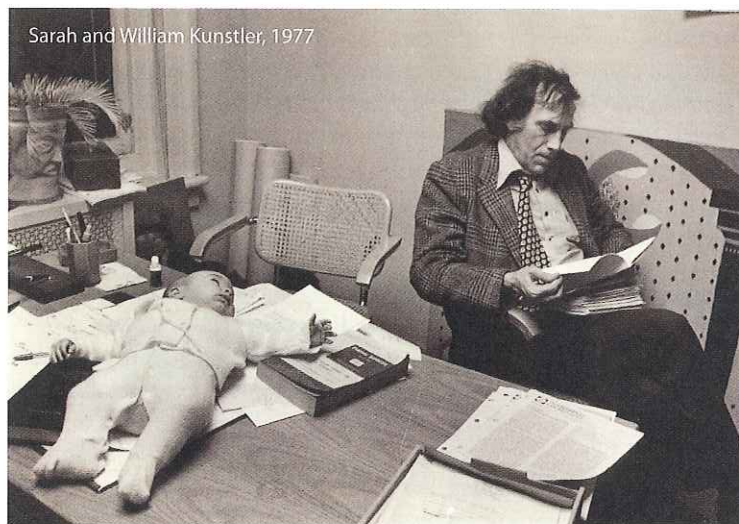
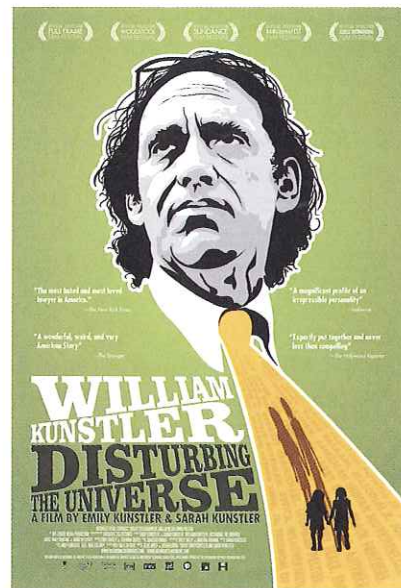


PHOTO: MADDY MILLER

family's West Village row house, chanting "Kunstler must go!" Bullets arrived in the mail. Their father, fearing bombs, opened packages alone in his basement office.

In one particularly nervy moment, the daughters appear in a 1993 clip from a local cable television news show, in which Sarah coolly but pointedly interrogates her father. She asks him if he ever wanted to get out of a case that he'd committed to, then adds a deft zing, noting, "Some people act, and some people defend them. Maybe [Emily and I are] just people of action."

In the same interview, the sisters flatly state that they'll never be lawyers. Emily has thus far kept her word, but Sarah now works as a criminal defense attorney in Manhattan. What happened?

"At that point, Emily and I wanted to be nothing like our dad," Sarah says. "We wanted to forge paths that were completely independent of his. So saying that we weren't going to be lawyers, we were going to be people who act, was like saying, 'We're going to have independence from you and do our own thing.' But at the same time we learned social responsibility from our parents. We were imbued with a sense that it's our responsibility to go out into the world and fight for justice and make change, and along the way I figured out that being a lawyer was a way to do that."

Emily and Sarah have also poured their social-justice energies into documentary filmmaking, forming a production company called Off Center Media that has made short films about injustice in the American criminal justice system, including *Tulia, Texas*, the story of a racist drug bust in Texas.

The filmmakers are mounting "a big educational push" in tandem with the DVD release of *Disturbing the Universe*, and are trying to get it into the hands of high schools, colleges, and law schools across the country. The recent New Video release contains bonus features that expand on the historical elements, and the Kunstlers are assembling companion educational material for classroom use.

Emily thinks their father, who died at age 76 in 1995, would have enjoyed this effort and their film, despite its tough

questions and unflinching criticisms.

"He was his own favorite subject, so I think in that sense he would be happy about any film that focused on him," she says. "But I think he would love that we made the choice to commit four years of our lives to getting to know him better and understanding him—and in a sense bringing him back to life, bringing his story to generations of people that have never heard of him."

"His favorite thing was talking to young people, inspiring them to take personal risks to stand up for what they believe in. Hopefully this movie will continue to do that." **UR**

William Kunstler: Disturbing the Universe will be shown on the PBS documentary series *POV* starting June 22, and it is available on DVD from New Video. www.disturbingtheuniverse.com