

# **Attorney Relishes Unpopular Cases**



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By Alfie Kohn

Leonard Weinglass, who represented Abbie Hoffman and three others at the Chicago 8 trial in 1969-70, is now defending Hoffman, Amy Carter [the former President's daughter], and 13 other protesters who challenged the CIA's presence at the University of Massachusetts last November.

Weinglass took the case only because of the two men's 20-year friendship. The trial, expected to last ten days in all, takes him away from Hartford, where he is in the process of defending 14 Puerto Rican independence activists charged with conspiracy. As soon as that trial is over, he will fly to Los Angeles to represent eight Palestinians threatened with deportation.

This sort of pace is nothing new for the 53-year-old unmarried lawyer. "I've pretty much given up on the idea of having a social life," he admits. "The thing is, though, it's not work. I can practice law the way I want to." He motions to a pile of documents on the bed of his hotel room. "I'm not reading mortgages. I'm reading tracts on the CIA."

As a young Newark attorney, Weinglass was invited to join William Kunstler in defending the Chicago 8 by an old friend who was one of those on trial: Tom Hayden. "Tom said, 'It'll change your life,'" Weinglass recalls, "and he was right."

Since then, his cases have included the Pentagon Papers trial, the Patty Hearst kidnapping, and litigation involving government harassment of Jane Fonda during her visit to Hanoi. He traveled through the South in 1978-79, representing men on death row. He wrote briefs for Angela Davis. He has defended Native Americans, a Taiwanese dissident, and dozens of others too poor, too political, or simply too unpopular for most lawyers to handle.

Practicing law this way has not made Leonard Weinglass a wealthy man. He puts his yearly before-tax income in the high teens, adding, "It's pretty much a hand-to-mouth existence, but I live a lot better than the people I represent." To keep down expenses, he works out of his rent-controlled Manhattan loft instead of an office.

From the time he picked up Clarence Darrow's writings as a third grader in Kearny, N.J., Weinglass knew he wanted to be a lawyer. But it wasn't until much later that he came to believe that "only radical change will bring about a just society."

A key experience that ignited his commitment to social change came before he entered Yale Law School with the class of 1958. While an undergraduate at George Washington University, he stumbled into an unusual after-class job: operating then-vice president Richard Nixon's private elevator in the Capitol.

It was not just the informal conversations he had with Nixon, but also the chance to watch while the Senate grilled and then censured Sen. Joseph McCarthy, that convinced Weinglass of "the threat of the right (wing) to this country and the absolute need to stand up and fight back."

Despite the absence of 1960s-style protests, Weinglass observes that people are still fighting back today. He points to growing protests against nuclear weapons, the C.I.A., and U.S. intervention in Central America. The Iran-Contra scandal will accelerate citizen activism, he argues, since those disclosures "reveal to the country what the progressive movement has been saying for six years."

Weinglass identifies the Pentagon Papers case, in which he defended Daniel Ellsberg's colleague Anthony Russo, as his most significant. But it was his work for the Chicago 8 that both made his reputation and served as a sort of trial by fire for him.

Judge Julius Hoffman – no relation to Abbie – slapped defendants and lawyers alike with a total of 159 contempt citations. Weinglass' own 20-month sentence, like the others', was later overturned. But for him the citation capped months of indignity as the Judge repeatedly got his name wrong. Over the trial's duration, Hoffman addressed him variously as Feinglass, Weinrob, Weinstein, Feinstein, Weinrus, Weinberg, Weinramer, and even once as "Mr. What's-Your-Name." The defendants finally took to holding up a placard for the Judge with Weinglass's correct name in large letters.

Even after 20 years of helping underdogs, barely eking out a living, and carrying a formidable caseload, Weinglass shows no signs of burn-out. "I still feel charged," he says. "I'm like an old tennis player: I don't run wildly back and forth any more, but I know where the ball is going to bounce, and I can walk there."

Recognition and success – albeit on his own terms – have helped him along. In 1977, when the Los Angeles-based Clarence Darrow Foundation began giving an annual award to the attorney best exemplifying the legendary litigator, it was Weinglass who was chosen first.

Don't ask him to quantify his success, however. Weinglass says he doesn't keep score. But he notes: "Every now and then it occurs to me I haven't lost a case lately."

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