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Subject: A Tigar With Anti-Establishment Stripes

In closing arguments today, Nichols's lead defense attorney will make final plea.

Michael Tigar has never been one to shy away from unpopular defendants. So it is perhaps fitting that one of the men accused of committing the worst act of terrorism in United States history would now be putting his life in the hands of this legendary defense attorney.

As the lead attorney defending Oklahoma City bombing suspect Terry Nichols, Mr. Tigar is doing something he has done all his life: fight for the underdog. Since he began practicing law 31 years ago, Tigar has defended a string of high-profile, anti-establishment clients, including the Chicago Seven, black militant Angela Davis, and civil rights activist Abbie Hoffman. It is something that has come to define the man who graduated first in his class at UC Berkeley in 1966 and successfully argued his first case before the United States Supreme Court only three years later.

"I think Michael begins with the premise that people who are being prosecuted by the government are in need of a champion," says Michael Sharlot, dean of the University of Texas School of Law in Austin, where Tigar is on faculty as a criminal-law professor. "The more unattractive the defendant, the greater the likelihood, in Michael's view, that the government will overreach in its prosecution."

The son of a union official, Tigar was born in Los Angeles and weaned on working-class, liberal values. He delivered newspapers as a boy and was one of the first in his family to attend college. After a brief stint as a journalist, he decided to fulfill his dream of becoming a lawyer.

"The reason I became a lawyer was to defend people's rights," Tigar has said. He willingly forgoes his usual \$500-an-hour rate in favor of court appointments like the Nichols case, which pay a maximum fee of \$125 an hour, and he is currently on unpaid leave from UT while defending Mr. Nichols.

He identifies Edward Bennett Williams and Clarence Darrow as role models, and the praise that Tigar's peers heap on him would be well-suited for either of those two famed attorneys.

"Michael Tigar is the best lawyer I've ever seen," says Scott Robinson, a Denver trial attorney and legal analyst. "The man is charming, articulate, clever, and incredibly learned. He has a remarkable presence. He's amazing. The guy's a legend."

Friends say Tigar is also a Renaissance man: He is a gourmet cook, an expert sailor, speaks French and Latin, and is fond of quoting passages from the Bible and classical literature - verbatim. He is an author and playwright, to boot, who has even acted in his own theatrical productions based on historical courtroom cases.

Tigar the tiger

With his tall, lanky frame and penchant for dramatic gestures, Tigar strikes an imposing figure in the courtroom. His standard expression is a bemused grin, and he is given to frequently raising his bushy eyebrows for emphasis. He favors neckties decorated with

bright-orange tigers. And he lives up to his namesake image by pouncing ferociously in cross-examination of prosecution witnesses.

In the Nichols trial, observers say, Tigar's aggressive attack on the prosecution made significant forays into the government's case. "Tigar has been successful in planting in jurors' minds the idea that the prosecution's tight little scenario has some holes in it," says Robert Hardaway, a University of Denver law professor who has been following the trial closely. For example, extensive testimony about John Doe No. 2, a possible accomplice of Nichols's codefendant, Timothy McVeigh, "suggests that they either ignored or neglected anything that diverted from the scenario they'd constructed from the beginning," he adds.

Tigar has long maintained that Nichols, who is charged with murder and conspiracy in the April 19, 1995 bombing, is being railroaded by the government because of his anti-establishment beliefs. And he has challenged vigorously the prosecution's call for imposing the death penalty.

Mr. McVeigh was convicted on identical charges last summer and now faces the death penalty. But in contrast to McVeigh's defense, which lasted only three days, Tigar called more than 90 witnesses in eight days before the defense rested last week.

Tigar's defense team succeeded in bringing on government informant Carol Howe as a defense witness. Testimony from the onetime resident of Elohim City, Okla., a militia compound, was strictly barred from McVeigh's case as irrelevant.

The prosecution claims that McVeigh and Nichols plotted to bomb the Oklahoma City federal building to avenge the 1993 government siege of the Branch Davidian compound in Waco, Texas. But the defense counters that other right-wing groups were equally motivated to retaliate. Ms. Howe's testimony helped support that argument.

While legal experts were still debating why US District Judge Richard Matsch altered his ruling and allowed Howe to testify, Tigar's associates have their own ideas why he prevailed. "Most of the rules don't apply to Michael," Mr. Sharlot muses. "He's ... so extraordinary."

Limited popularity

Tigar's popularity drops off quickly when attention is turned to victims of the Oklahoma City blast, which claimed 168 lives. "Michael Tigar is a very good storyteller," says survivor Paul Heath. "He weaves an interesting tale, but he can't change the evidence."

Indeed, as the case heads to closing arguments today, the defense has not explained some of the most damaging government evidence - including a receipt for 2,000 pounds of ammonium nitrate fertilizer found in Nichols's home, bearing the fingerprints of both McVeigh and Nichols. Nor has Tigar ever made promises about the case. "We'll see what happens," he says simply.

Experts say the chances for an acquittal remain low. Tigar has, more likely, made inroads into gaining a life sentence, rather than death, for his client. His vigorous defense has perhaps raised doubts about the extent of Nichols's role in the bombing, but it has not managed to clear him of all involvement.

But without question, the charismatic attorney appears to have made an impression on jurors, notes Mr. Robinson. "I can tell you that at least three women on the jury are extremely enamored of Michael Tigar,

and can't take their eyes off him. Also, at least three male jurors are enchanted by him. And the other 12 aren't far behind."