



MICHAEL TIGAR, top right, joins a group of striking miners in *Salt of the Earth*. Tigar is a professor at Duke University School of Law in Durham, N.C., and emeritus professor at American University in Washington, D.C. He is a past chair of the ABA Section of Litigation. He has written several books published by the ABA, including *Fighting Injustice*, *Examining Witnesses*, *Thinking About Terrorism* and *Persuasion: The Litigator's Art*.

THE FILM: SALT OF THE EARTH
THE LESSON: YOUR CASE IS ABOUT REAL
PEOPLE TELLING THEIR STORIES
BY MICHAEL E. TIGAR

WE ALL KNOW THAT AT TRIAL WE MUST PRESENT JURORS with a coherent story of the case. But we often forget that a story is told by people, to other people. The story is built up from testimony of witnesses, who bring their version of what happened, and their sense of the justice or injustice of it. With our guidance, these witnesses speak to the jurors, each of whom brings his or her own set of attitudes and personal experiences to the process.

To tell the story of our case simply and persuasively, we must learn to share vicariously the lives and experiences of our clients. After all, Clarence Darrow had never walked the corridors of madness as had Leopold and Loeb, nor ever braved a white mob while trying to move a black family into their new home, nor lived among union organizers in the mines, mills and forests. Yet, more eloquently than any other lawyer of his time, Darrow was able to summon up images of those experiences for judges and jurors.

Salt of the Earth is not a movie about lawyers, and it's hardly even about the law. But it is a film about seeking

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