

## **MICHAEL E. TIGAR**

Michael E. Tigar is Research Professor of Law at Washington College of Law, American University, Washington, D.C., Visiting Professor of Law at Duke Law School, and Professeur Invité at the Faculté de droit et des sciences politiques in Aix-en-Provence. He has also held full-time academic positions at UCLA and The University of Texas. He has been a lecturer at dozens of law schools and bar associations in the United States, Europe, Africa, and Latin America. He is a 1966 graduate of Boalt Hall, University of California, Berkeley, where he was first in his class, Editor-in-Chief of the law review and Order of the Coif.

He has authored or co-authored ten books, three plays, and scores of articles and essays. He has argued seven cases in the United States Supreme Court, about one hundred federal appeals, and has tried cases in all parts of the country in state and federal courts. His latest book is Fighting Injustice, a memoir, available on amazon.com. He has been active on several continents in promoting and protecting human rights.

His clients have included Angela Davis, H. Rap Brown, John Connally, Kay Bailey Hutchison, the Washington Post, Fantasy Films, Terry Nichols, Allen Ginsberg, Leonard Peltier, Fernando Chavez and Lynne Stewart. He has been Chair of the 60,000 member Section of Litigation of the American Bar Association, and Chair of the Board of Directors of the Texas Resource Center for Capital Litigation.

In his teaching, he has worked with law students in clinical programs where students are counsel or law clerks in significant human rights litigation. He has made several trips to South Africa, working with organizations of African lawyers engaged in the struggle to end apartheid, and after the release of Nelson Mandela from prison, to lecture on human rights issues and to advise the African National Congress on issues in drafting a new constitution. He has been actively involved in efforts to bring to justice members of the Chilean junta, including former President Pinochet. Of Mr. Tigar's career, Justice William J. Brennan has written that his "tireless striving for justice stretches his arms towards perfection."

In 1999, the California Attorneys for Criminal Justice held a ballot for "Lawyer of the Century." Mr. Tigar was third in the balloting, behind Clarence Darrow and Thurgood Marshall. In 2003, the Texas Civil Rights Project named its new building in Austin, Texas, (purchased with a gift from attorney Wayne Reaud) the "Michael Tigar Human Rights Center."

## **DETAILED VITA**

### **EDUCATION**

J.D., 1966, Boalt Hall, University of California, Berkeley  
B.A., Political Science, 1962, University of California, Berkeley  
Public schools in and near Los Angeles, California

### **LAW SCHOOL HONORS & AWARDS**

Ranked first in class all three years of law school  
Editor-in-Chief, California Law Review, 1965-66  
Order of the Coif

### **EMPLOYMENT**

Visiting Professor of Law, Duke Law School, 2006 – 07  
Research Professor of Law, Washington College of Law, 2003 –  
Senior Lecturing Fellow in Law, Duke University Law School, Spring 2006  
Professor of Law & Edwin A. Mooers, Sr. Scholar, Washington College of Law,  
American University, 1998 – 2003  
Joseph D. Jamail Centennial Chair in Law, University of Texas, 1987- 98(member of UT  
law faculty 1983-98)  
Of Counsel, Haddon, Morgan & Foreman, Denver, Colorado, 1/1/96 – 6/30/98  
Visiting Professor (professeur invité), Faculté de Droit et de Sciences Politique de Aix-  
Marseille, 1994 – 98, 2006-07  
Lecturer, University of the Western Cape, Fort Hare Faculty of Law, and University of  
Transkei, 1991-92  
Trial Advocacy Teacher, Black Lawyers' Association of South Africa, 1988, 1989, 1990  
Founder and Member, Tigar & Buffone, P.C., Washington, D.C., 1978-84  
Lecturer in Criminal Procedure, State University of New York at Buffalo, 1976-77  
Adjunct Professor of Law, Georgetown University Law Center, 1975-76, 1977-78  
Attorney, Williams & Connolly, Washington, D.C., 1966-69; 1974-77; partner, January  
1, 1976 - December 31, 1977  
Of Counsel, Kennedy & Rhine, San Francisco, California, 1971-74 (maintained offices  
for the private practice of international law in Speracèdes, France)  
Visiting Fellow, Center for the Study of Democratic Institutions, Santa Barbara,  
California, 1971  
Acting Professor of Law, University of California, Los Angeles, 1969-71  
Editor-in-Chief, Selective Service Law Reporter, 1968-69  
Summer Intern, American Civil Liberties Union of Northern California, 1965  
Assistant Editor, Civil Liberties Docket, 1963-64  
Associate Director of Public Affairs, Pacifica Foundation Radio (KPFK-FM), Los  
Angeles, 1963  
European Correspondent, Pacifica Foundation Radio, 1962-63  
Announcer, engineer, reporter, newscaster, Director of Children's Programs, Pacifica  
Foundation Radio (KPFA-FM), Berkeley, California, 1959-62  
Apprentice letterpress printer, 1955-58  
Restaurant second cook, 1956-57  
Day camp teacher, 1955-58

### **PROFESSIONAL ACTIVITIES AND AWARDS (partial list)**

Participant, Table of Free Voices, Berlin, Germany, [www.droppingknowledge.org](http://www.droppingknowledge.org),  
September 9, 2006

Distinguished Advocate Award, Massachusetts Appleseeds, 2006

Citation Award, Boalt Hall, 2006

Lifetime Achievement Award, National Association of Criminal Defense Lawyers, 1999

Champion of Justice Award, California Attorneys for Criminal Justice, 1998

Frequent Speaker, Moderator, Panelist, bar organizations, law schools, judicial  
conferences

Frequent appearances on television and radio programs, and interviews with print media  
on legal subjects in the USA, Canada, UK, Mauritius, South Africa, Chile and  
France

Argued seven United States Supreme Court cases and more than 100 other appellate  
cases

Co-Director, Intensive Trial Advocacy Program, The University of Texas School of Law,  
1984-94

Fellow, American Academy of Appellate Lawyers; Member, Board of Directors, 1993-96

Member, Board of Directors, American Judicature Society, 1992-96

Director, The Fourth Amendment Foundation (founded by Dr. Hunter S. Thompson),  
1991 - present

Letelier-Moffitt Human Rights Award (Sixteenth Annual), September 21, 1992

Member, ABA Task Force on an International Criminal Court, 1991

Consultant, African National Congress Task Force on TVBC States and constitutional  
issues, 1991-92

John Minor Wisdom Public Service and Professionalism Award, American Bar  
Association, Section of Litigation, October 1990

Chair, Section of Litigation, American Bar Association, 1989-90

Member, Board of Directors, Texas Appellate Practice and Educational Resource Center,  
1989- 94 (Chair, 1989-93)

Reporter, Pattern Jury Instructions, Criminal Cases, Fifth Circuit, 1988-90 (published by  
West Publishing Co., 1990)

Trial Advocacy Teacher, Black Lawyers Association of South Africa, 1988, 1989, 1990,  
1991

Chair-Elect, Section of Litigation, American Bar Association, 1988-89

Vice-Chair, Section of Litigation, American Bar Association, 1987-88

Chair, Section of Litigation, Association of American Law Schools, 1988

Co-Chair, Committee on Teaching Litigation, Section of Litigation, ABA, 1984-1987

Member, ABA Litigation Section Task Force on Training the Advocate, 1986-89

Member, Advisory Committee, BNA Civil RICO Report, 1985-89

Chair, Complex Crimes Litigation Committee, Section of Litigation, ABA, 1981-84

Participant (one of 32 lawyers selected from the United States), Smithsonian Institution  
Folklife Festival, 1986, "Trial Lawyers in America."

**PUBLICATIONS (partial list – books in CAPITAL LETTERS, plays in *italics*)(does  
not include dozens of presentations to bar groups, judicial conferences and  
academic audiences)**

Mastering the Craft of Trial Advocacy (course materials for seminars on advocacy),  
several editions 1998 – 2006, Professional Education Group

THINKING ABOUT TERROR (book, forthcoming from ABA Press)

Paradigms in Teaching Criminal Law (keynote lecture, AALS Midyear Meeting, June 15,  
2006, to be published)

Universal Rights & Wrongs: Roper v. Simmons, Torture and Judge Posner (a paper  
presented as the 2006 Will E. Orgain Lecture at The University of Texas School  
of Law, April 6, 2006 initial publication at [monthlyreview.org](http://www.monthlyreview.org) website,  
<http://www.monthlyreview.org/0506tiger.htm>)

Empowering the Jury (16 one-hour DVD presentations on all aspects of trial advocacy,  
available from Professional Education Group and on-line from West Legal Education  
Center)

TRIAL ADVOCACY STORIES (forthcoming casebook) (with Angela Jordan Davis)

Essay, The City Upon the Hill (forthcoming in book published by ABA)

EXAMINING WITNESSES (2d edition), 2003

The Most Impertinent Question, *Litigation*, Spring 2003

Tosca: Dangers of Operatic Plea Bargains, lecture November 6, 2001

FIGHTING INJUSTICE (2002)

Litigation as a Faustian Bargain, *Litigation*, Winter 2002

Lecture, Terrorism and Human Rights, October 17, 2001, on the website of Institute for  
Policy Studies, Washington, D.C.

Essay, Lawyers, Jails and the Law's Fake Bargains, *Monthly Review*, July/August 2001

Introduction, *The Federal Courthouse Door: A Federal Jurisdiction Guide*, by James P.  
George (2002)

LAW AND THE RISE OF CAPITALISM (new edition 2000)

Litigators' Ethics, 67 *Tenn. L. Rev.* 409 (2000)

Essay, Story Within A Story Within A Story – Played Out In The Different Theaters Of  
Different Minds, reflections on Susan Glaspell's play "Trifles," for a conference  
in Israel, Spring 2000

Two Trials in and about Chattanooga – Lynching and Federal Judicial Power, *Litigation*,  
Spring 2000, p. 49

The Power of Myth: Justice, Signs & Symbols in Criminal Trials, *Litigation*, Fall 1999,  
p. 25

FEDERAL APPEALS: JURISDICTION AND PRACTICE, West Group, Third Edition,  
2000 [with Jane B. Tigar](with annual supplements)(4<sup>th</sup> edition forthcoming 2007)

PERSUASION: THE LITIGATOR'S ART (1999)[ABA Press]

What Would Thomas More Think?, 2 *J. Inst. for the Study of Legal Ethics* 187 (1999).

Defending: an essay. 74 *Tex. L. Rev.* 101 (1995)

Paul Touvier and the Crime Against Humanity, 30 *Tex. Int'l L. J.* 286 (1995)[with Casey,  
Giordani & Mardemootoo]

Columns in *National Law Journal*, 1995 - 2001 on criminal law and international law  
issues

Review, *Lawyers and Social Justice*, 78 *Judicature* 253 (1995)

Review, *Revolution in the Balance: Law and Society in Contemporary Cuba*, *Cuba*  
Update, February 1995, p. 33

Pretrial Case Management Under the Amended Rules: Too Many Words for a Good Idea,  
 14 Rev. of Lit. 137 (1994)  
 Letter of the Law: A Reply, Los Angeles Daily Journal, Jan. 11, 1995 (op-ed page)  
 Old California and New Ideas, California State Bar Morrison Lecture, September 24,  
 1994, Anaheim, California  
 Moving Backward in Sentencing and Intent, Nat'l L. J. 18 (Nov. 29, 1993)  
 Moderator, The Use and Misuse of Expert Evidence in the Courts (March 6, 1993) 77  
 Judicature, September-October 1993  
 EXAMINING WITNESSES, ABA Press, 1993  
 Criminal Justice Reform. Sources and Nature of Norms, 63 International Review of  
 Penal Law, Criminal Justice and Human Rights 1343 (November 24-December 1,  
 1993)  
 FEDERAL APPEALS: JURISDICTION AND PRACTICE, Shepard's/McGraw-Hill,  
 Second Edition, 1992  
 The Lawyer Who Broke the Retaining Wall [under name of Edward Michaels] 18  
 Litigation 27 (Fall 1991)  
 The Expert Who Walked Off Angry [under name of Edward Michaels], 17 Litigation 27  
 (Summer 1991)  
 Cross Examination of Expert Witnesses, in F. Rossi, Expert Witnesses, American Bar  
 Association (1991)  
 Book Review: Laycock, The Death of the Irreparable Injury Rule, 17 Litigation 49  
 (Winter 1991)  
 The Prosecutor Whose Sword Was Taken Away [under name of Edward Michaels], 17  
 Litigation 6 (Winter 1991)  
 Academic Freedom, Essay, Oxford Companion to the Supreme Court of the United  
 States, 1990  
 Conscientious Objection, Essay, Oxford Companion to the Supreme Court of the United  
 States, 1990  
 Discovering Your Litigator's Voice, 16 Litigation 1 (Summer 1990)  
 One Man's Freedom, One Man's Faith, 16 Litigation 1 (Spring 1990)  
 Lawyers and Death Cases, 16 Litigation 1 (Winter 1990)  
 Query: Judges or Lawyers--Who Are the Keepers of the Flame?, 74 Judicature 125  
 (October-November 1990)  
 2020 Vision: A Bifocal View, 74 Judicature 89 (August-September 1990)  
 Voices Heard in Jury Argument: Litigation and the Law School Curriculum, 9 Review of  
 Litigation 177 (1990)  
 Book Review, Federal Habeas Corpus Practice and Procedure (J. Liebman), Columbia  
 Law Review, Jan. 1990  
 The Extradition Requirement of Double Criminality in Complex Cases: Illustrating the  
 Rationale of Extradition, published in proceedings of Instituto Superiore  
 Internazionale de Scienze Criminali Conference, Siracusa, Italy  
 Judges, Lawyers and the Penalty of Death, 23 Loyola L.R. 147 (November 1989)  
 Lawyers, Money, Race, and Gender, 16 Litigation 1 (Fall 1989)  
 Videotape, Argument to the Court, ABA Videolaw Seminars, 1989  
*The Warrior Bards*, a play in six scenes [with Kevin McCarthy], premiered October 5,  
 1989, starring Kevin McCarthy

Corporate Liability for Crime, Essay, funded in part by a grant (Summer, 1988) from the Corporate Counsel Section of the State Bar of Texas, 1989, published as *It Does the Crime But Not the Time: Corporate Criminal Liability in Federal Law*, 17 *Am.J.Crim.Law* 211 (Spring 1990)

Videotape, *Dealing with the S.O.B. Litigator*, ABA Videolaw Seminars, 1989

Intending, Knowing and Desiring: The Mental Element in Federal Criminal Law, Lecture, Cleveland-Marshall College of Law, October 27, 1988, published as "Willfulness" and "Ignorance" in *Federal Criminal Law*, 37 *Cleveland State Law Review* 525 (1990)

Speaker, Presentation of the Portrait of John V. Singleton (March 18, 1988), to be published

What the Constitution Means by Executive Power, 43 *Miami L. Rev.* 177 (1988)(informal talk)

Original Understanding and the Constitution, 22 *Akron L. Rev.* 1 (1988)

Jury Argument: You the Facts, and the Law, 14 *Litigation* 19 (1988)

Book Review, *And We Are Not Saved, The Elusive Quest for Racial Justice* (D. Bell), *ABA Journal*, Vol. 73, October 1, 1987, p. 146

Constitutional Rights of Criminal Tax Defendants: A Bicentennial Survey and Modest Proposal, *The Tax Lawyer*, vol. 41, no. 1, Fall 1987

*Haymarket: Whose Name the Few Still Say with Tears*, a play in eleven scenes, first performed by Remains Theater, Chicago, Illinois, October 1987

FEDERAL APPEALS: JURISDICTION AND PRACTICE, Shepard's/McGraw-Hill, 1987

Speaker, Presentation of the Portrait of Carl O. Bue, Jr. 680 *F. Supp.* LXXX (April 28, 1987)

Essay, "Crime-Talk, Rights-Talk and Doubletalk," 65 *Tex. L. Rev.* 101 (1986)

The Hobbs Act and RICO in Takeover Litigation, *BNA Civil RICO Report*, vol. 2, No. 13, August 27, 1986, p. 2

*The Trial of John Peter Zenger*, a play in four scenes, commissioned by the Section of Litigation, American Bar Association, first performed at the Waldorf Astoria Hotel Starlight Roof, August 10, 1986. Revived at New York Historical Society, 1989.

Book Review, *Talk-Show Advocacy*, *Litigation*, vol. 12, No. 1, Fall 1985, p. 61

Book Review, *Whose Rights? What Danger*, 94 *Yale L.J.* 970 (1985)

The Right of Property and the Law of Theft, 62 *Tex. L. Rev.* 1443 (1984)

Mail Fraud, Morals and U.S. Attorneys, *Litigation*, vol. 11, no. 1, Fall 1984, p. 22

Book Review, *Law and Revolution: The Formation of the Western Legal Tradition*, 17 *U.C. Davis L. Rev.* 1035 (1984)

International Exchange of Information In Criminal Cases, 1983 *Michigan Yearbook of International Legal Studies* 61 [with A.J. Doyle, Jr.]

The Foreign Sovereign Immunities Act And The Pursued Refugee: Lessons From *Letelier v. Chile*, 1982 *Michigan Yearbook of International Legal Studies* 421

Crime on Camera, *Litigation*, Vol. 9, No. 1, Fall 1982

Book Review, *The Great Fear*, 15 *Harvard Civil Liberties - Civil Rights Review* (1980)

LAW AND THE RISE OF CAPITALISM (published in 1977 by Monthly Review Press)  
[with M. Levy]. Spanish and Portuguese translations published 1978; Greek  
translation published 1980; Chinese translation published 1997  
Can We Be Equal And Free?, in The Unfinished Revolution (C. Snow ed. 1976)  
Book Review, Political Criminal Trials: How To Defend Them, Litigation (ABA  
Litigation Section Magazine), Vol. 1, No. 1, Winter 1975  
Book Review, Psychoanalytic Jurisprudence, 86 Harv. L. Rev. 785 (1973)  
Book Review, Kennedy Justice, The New York Review Of Books, June 1972  
Judicial Power, the "Political Question Doctrine," and Foreign Relations," 17 U.C.L.A.  
L. Rev. 1135 (1970), reprinted in The Vietnam War And International Law, Vol.  
3 (R. Falk, ed. 1972)  
Socialist Law And Legal Institutions, in Law Against The People (R. Lefcourt ed. 1971)  
The Rights Of The Selective Service Registrant, in The Rights Of Americans (1970)  
Foreword: Waiver Of Constitutional Rights: Disquiet In The Citadel, 84 Harv. L. Rev. 1  
(1970)  
Book Review, Frontiers Of Civil Liberties, 78 Yale L.J. 597 (1969)  
Selective Service: Some Certain Problems And Some Tentative Answers, 37 Geo. Wash.  
L. Rev. 433 (1969) [with R. Zweben]  
PRACTICE MANUAL, Selective Service Law Reporter (1968)  
Book Review, Concerning Dissent And Civil Disobedience, 67 Mich. L. Rev. (1969)  
Book Review, Freedom & Order In The University, 56 Calif. L. Rev. 236 (1968)  
Book Review, Anti-Politics in America, 77 Yale L.J. 597 (1968)  
Book Review, The American Student's Freedom Of Expression, 4 Law in Trans. Q. 163  
(1967)  
Introduction To Symposium: Student Rights And Campus Rules, 54 Calif. L. Rev. 1  
(1966)  
Book Review, Federal Habeas Corpus, 53 Calif. L. Rev. 911 (1965) [with I. Heyman]  
Comment, Automatic Extinction Of Cross-Demands: Compensatio From Rome To  
California, 53 Calif. L. Rev. 224 (1965)

#### **BAR MEMBERSHIPS - Regular**

District of Columbia (4/1/67); New York (2/11/93)(retired status as of 2005); Supreme  
Court of the United States; United States Courts of Appeals for the District of  
Columbia Circuit and the Second (9/12/78), Fourth, Fifth, Sixth (7/6/92), Eighth,  
Ninth, Tenth, Eleventh and Federal Circuits; United States District Court for the  
Western District of Texas; United States District Court for the Southern District  
of Texas; United States Tax Court (1980)

#### **BAR MEMBERSHIPS - Pro hac vice**

Supreme Court of the United States (1969)  
Several United States Courts of Appeals, a dozen United States District Courts, and state  
trial and appellate courts in Colorado, Maryland, Florida, California, New York,  
Texas and Illinois