

In cold blood essay



**ASSIGN
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The Unjust Trials of Dick and Perry Can murderers be justified by their actions and motives? There was surely a motive behind the murders of the Clutter family. Dick Hickock wanted to rob the family, but Perry Smith's intention was yet unidentified. The Clutter case had become one of the most mysterious incidents that Kansas had ever encountered. It took many brilliant detectives from all around the country to solve this curious case.

Countless numbers argued that the criminals were cold-blooded and that they deserved to be punished. Their actions couldn't be justified; even the courts said so. But were the courts and the majority of the others discriminating against Dick and Perry? Apparently, Capote thought that the justice system was flawed and unfair on regarding this case. In accordance to both the crimes, the severeness of Perry's mental disability was worse than Dick's. Dr. Jones had testified in court that Perry was mentally disabled, and Dick was not. "Perry Smith shows definite signs of severe mental illness... Two features in his personality make-up stand out as particularly pathological.

The first is his 'paranoid' orientation toward the world. He is suspicious and distrustful of others... In evaluating the intentions and feelings of others, his ability to separate the real situation from his own mental projections is very poor" (296-297). Capote was using pathos in that situation, intending for the audience to feel sympathetic for Perry. He wanted the reader to understand that Perry had not intended to kill the Clutters, and that it was only due to bad timing of things. Even though Perry had killed the Clutters due to his mental disability, the court wasn't any more commiserating toward him. He

was still sentenced to hang in The Corner. The town of Holcomb was composed of many citizens that were familiar with the Clutters.

Almost half of the fourteen jurors had known the Clutters or had at least heard of their good deeds before. " They were all family men, and were seriously affiliated with one or another of the local churches. During the voir dire examination, four of them told the court that they had been personally, though not intimately, acquainted with Mr. Clutter... N. L. Dunnan said, when asked his opinion of capital punishment, ' Ordinarily I'm against it. But in this case no' - a declaration which, to some who heard it, seemed clearly indicative of prejudice.

Dunnan was nevertheless accepted as a juror" (272-273). The jury could clearly be seen as biased since most of the jurors had been acquainted with Mr. Clutter.

Dick and Perry's lawyers, Mr. Fleming and Harrison Smith, didn't even request a change of venue; they had not served their clients to the best of their abilities. Shultz had a score of charges, but underlying them all was the implication that because of community pressure, Fleming and Smith had deliberately neglected their duties. Both men had betrayed their clients by not consulting with them sufficiently; by waiving a preliminary hearing; and by failing to prepare a proper defense" (328-329). Dick and Perry did not receive a fair trial because their attorneys had failed to secure their rights. It was an unfair trial because they didn't even have the opportunity to be tried separately.

The justice system in treating Dick and Perry's case should be justified. Perry had a mental illness, Dick had murdered no one, but both were convicted of murder in the first degree and a sentence to death. It is unfair that the jury didn't give them the chance to have a fair trial, and just accused them from the very beginning. This is just like Paradise Lost, where the court had already decided that the accused were the actual criminals before a fair hearing was summoned, and thus depriving the petitioners a chance to gain their right to justice.