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Analysis of *A Time to Kill* by John Grisham

John Grisham is a well-known author specializing in legal thrillers. Before he reached meteoric success with *The Client*, few people have known that he has earlier penned a morally compelling fiction *A Time to Kill*. This novel has a film adaptation, but for purposes of analysis, the author has chosen the novel version instead because this covers all aspects of the story.

A Time to Kill is set in 1986 Clanton, Mississippi, where deep-seated racism abounds. It is a story of a black girl who was viciously raped by two white men, and in retaliation, the father killed the two men. The 10-year-old black girl, Tonya Hailey, was ambushed on her way home from running errands by Pete Willard and Billy Ray Cobb, two fully grown white men. The two then proceeded to rape and physically hurt the girl, inflicting lasting injuries that girls her age would never fully understand. After violating Tonya, Pete and Billy Ray left her for dead under a bridge in the outskirts of the town, where fortunately some fisher folks found her and returned her to her family.

Tonya's father Carl Lee Hailey, a mere cotton mill laborer, was devastated upon finding out what happened to his youngest girl. Because he is not convinced that justice works the way it should in their town, as compounded by a past case in which four white men were acquitted for raping a black girl, he decided to take matters in his own hands.

During Pete and Billy Ray's arraignment, Carl Lee hid in a broom closet somewhere in the courtroom, awaiting the arrival of his daughter's rapists. When the opportunity presented itself, Carl Lee jumped out of the closet and shot at the perpetrators while laughing

and screaming like a maniac. Unfortunately, he accidentally wounded the white men's escort Deputy DeWayne Looney, which caused his leg to be amputated.

This event signals the start of a highly publicized capital murder trial, pitting Jake Brigance, with the help of his friends Lucien Wilbanks, Harry Rex Vonner, and law student Ellen Roark, against the seasoned district attorney Rufus Buckley. Several legal issues were brought up such as change of venue of the hearing, mistrial, and tampering of the jurors among others. In the end, one would wonder: would a poor, black man win a case in a predominantly white county and is justice the same with the upholding of the law?

The Rape of Tonya Hailey

In the story, a 10-year-old black girl was raped by two adults. According to USC Title 18 under Section 2241, this act is aggravated sexual abuse with children. The atrocity committed on the young girl satisfies the requirements of aggravated sexual abuse with children because first of all, Tonya was under the age of 12 thus qualifying her as a child. The perpetrators also used force on Tonya when they apprehended her. After bringing her to a secluded area in the woods, they tied her to a tree in an unnatural position and continuously beat her. Because the perpetrators were very vocal about their hatred of Negroes, they verbally assaulted and insulted Tonya while hurting her. Although the two men's lambasting of the girl's race was beyond her understanding, nevertheless, it aggravated and heightened the men's violation of Tonya. The two even urinated in her face, which is at the height of all insults and disrespect. Further, this act of verbal assault can constitute an act of threatening because even if the girl did not fully understand what the two men were talking about, it induced fear in her.

Because of the repeated act of violence committed on Tonya's young body, she was rendered unconscious after some minutes. The Pete and Billy Ray then proceeded to take

turns in having intercourse with Tonya, forcing their way into the young girl's frail body.

This violation of the girl's body caused serious and lasting damages.

Punishment for this crime is life sentence. It was never found out how Pete and Billy Ray were sentenced because prior to their arraignment they have been shot dead by Carl Lee.

When Carl Lee Took Justice to His Own Hands

After Tonya was treated for the damages she sustained at the hands of the perpetrators, her family was informed that along with the trauma of the sexual abuse she went through, she might never bear a child anymore. As a father, Carl Lee was devastated and wanted revenge. This prompted him to plot how to get back at Tonya's abusers, and this ended up with him shooting Pete and Billy Ray dead while they were being escorted to court.

This clearly is an example of first-degree murder. According to Hill and Hill, "it is generally a killing which is deliberate and premeditated (planned, after lying in wait, by poison or as part of a scheme)." In the story, because Carl Lee believed that the courts in his county mostly favor the whites, he started contemplating on how he could serve justice to his daughter. His shooting of the accuseds was not a random act of exacting revenge nor was it spur-of-the-moment. He carefully planned it prior to the day of his actual committing of the crime.

Carl Lee contacted his long-time friend and fellow Vietnam War veteran Cat to ask a little favor from him. This favor turned out to be him borrowing one of Cat's stashed M-16's. When the arraignment was nearing, he carefully plotted his hiding place and even asked County Sheriff Ozzie Walls how and where the accuseds are going to enter the building to the specific court room. During the day of the arraignment, he patiently hid in a closet and bided his time. When he could already see a clear shot of his targets, he went out of his hiding place and shot them to death.

This evidences that Carl Lee was of sound mind and clearly planned the whole affair. He had the intention to kill the two white men, so he laid out a plan on how to do so and executed the plan almost perfectly. From his weapon of choice to his strategic killing point, all were clearly premeditated and well-engineered. However, in his mad shooting spree, he accidentally shot at Deputy DeWayne Looney on the leg, causing irreparable injury (Looney's amputation).

Insanity as Defense

Because the brimming courtroom witnessed Carl Lee's murder of the perpetrators, his counsel Jake Brigance strategized to make Carl Lee appear insane as his alibi for committing the crime. Carl Lee was opposed to this, as he was seemingly proud of killing the two men who have ruined his daughter's life forever. He even admitted that he somewhat enjoyed killing the two, but regretted his accidental shooting of Looney, because he felt that justice was finally served.

A defendant can be acquitted of a crime when proved to be legally insane. By this, the defendant should be proved to be not of sound mind during the commission of the offense as he or she is mentally incapable of having willful intent of the commission, said Charles Montaldo in "The Insanity Defense." Angela Jarvis noted in "The Insanity Defense – A Constitutional Right" that this defense has its roots on the concept of *mens rea*, which is the "mental state of a person at the time of the commission of the crime." This is a vital component of a commission of a certain offense, especially of first-degree murder, because premeditation and willful intent involve a sound mental state. If a person accused of first-degree murder can be proved to be mentally incapable during the actual commission of the offense, that person would be acquitted on the grounds of being legally insane, meaning the person, at the time of the actual commission, cannot discern what he or she is really doing because of unstable mind or unfit mental state.

Jake Brigrance used the M’Naghten Rule as Carl Lee’s defense. According to FindLaw, “every man is to be presumed to be sane, and ... that to establish a defense on the ground of insanity, it must be clearly proved that, at the time of the committing of the act, the party accused was laboring under such a defect of reason, from disease of mind, and not to know the nature and quality of the act he was doing; or if he did know it, that he did not know he was doing what was wrong.” With the help of Lucien, Harry Rex, and Ellen, Jake aimed to prove to the people that Carl Lee was not of sound mind during the actual commission of the murders brought about by his being distraught at the fate suffered by her youngest girl Tonya. Jake tried to prove that, while Carl Lee is not a thoroughly insane person, at the proceeding days after Tonya’s ordeal Carl Lee started exhibiting different behavior and was apparently consumed by the thought of wanting to take justice in his own hands. He showed signs of being overly high-strung and stressed thus eventually leading to his killing of his daughter’s violators. This, according to Jake, was not a sound mental state because Carl Lee was obviously under the impression that he can take matters in his own hands and that his judgment was clearly tampered with the pain of what his child has gone through.

Mistrial, Jury Tampering, and Hate Crimes

Because Clanton, Mississippi is a predominantly white county, a person’s color highly affects how he or she is treated. Being a working class black man, Carl Lee was as good as condemned for the crimes already because he killed two white, albeit notoriously known delinquent, men. Adding to that is the fact that an open courtroom witnessed the carnage. For these reasons, Jake tried to appeal a motion for a change of venue without solid facts backing it, merely because it seemingly appears that the citizens, and potential jurors, have already judged the guilt of his client. Compounding this motion is the deep-seated racism instilled in the citizens because apparently, Billy Ray’s brother is a member of the Ku Klux Klan. As an act of retribution, he contacted several inactive Klansmen and set up

network in Clanton to terrorize, and potentially intimidate, prospective jurors into convicting the black man. Several acts of intimidation have been committed in lieu of this, such as burning of crosses in backyards, serious assault on Jake's secretary's husband, burning of Jake's house (arson), and ultimately, abduction and physical assault on Jake's paralegal Ellen Roark.

When Carl Lee's trial is nearing, a riot broke out in the court grounds, pitting the Klansmen against the black supporters. This resulted in the voluntary manslaughter of the Klan leader Mickey Mouse. According to Hill and Hill, voluntary manslaughter involves killing at the height of passion, but it is not premeditated to distinguish it from murder. Because this happened during the riot when the people started acting violently, who actually committed it was not discovered anymore because the attack came from nowhere.

These acts of intimidation strengthened Jake's resolve to really push for a motion for change of venue because along with the potential jurors' preconceived dislike of black people, these acts might highly influence their verdict instead of trying the case with due process.

What the Novel Says and What Happens in Reality

The central theme of the novel is racism. All crimes that were committed were in some way or the other connected to this theme. Tonya was raped merely because she was black. Carl Lee, in turn, took matters in his own hands because he was already feeling jaded at the thought of the apparently pro-white criminal justice system in Clanton. Jake Brigrance, his secretary's husband, and his paralegal Ellen were subjected to various hate crimes because the Ku Klux Klan has targeted them for their involvement in the defense of a black man. Some members of the Klan and some black protesters got hurt because of a riot that broke out because of their hatred for each other.

The actual scenarios in the novel were used to define and give a clearer picture on what the crimes are because these represent what happens in real life. As a lawyer, Grisham was able to present real-life scenarios in the novel so that readers can fully appreciate and understand the magnitude of the offenses and crimes omitted.

I appreciated reading this book, especially since I am an aspiring lawyer. I appreciated the fact that the novel did not deviate from reality in that it presented the crimes in it as they actually were. The author also did not overkill the emotional aspect of the story that is why I was able to view the crimes as objectively as possible. In my opinion, the way they were presented was not overly dramatized to sell. In fact, I am aware that such racism actually brings forth commission of crimes. Although people might think the idea of crimes rooted in racism is actually obsolete, I disagree. Racism is a deeply ingrained sentiment that roots back from early times. As time went on, the passion for this sentiment might have somehow subsided but still it is there. Nowadays, penal institutions are more populated by black people, but people can only guess if they were there just because they were prejudiced or if they actually committed the crimes they were convicted for with intent.

In my opinion, Carl Lee is a hundred percent guilty of first-degree murder because all evidence points to it. There was actual premeditation of the crime as seen from careful planning of its commission and because of his intent to retaliate for his daughter. However, I could not totally blame him for his wanting to serve justice his own way because of what his daughter has gone through in the hands of the men he killed. Having said that, the dilemma readers have appears to be the drawing of the line between law and justice.

Naturally, all people aspiring to become lawyers start with a set of ideals that he or she upholds in his or her practice. However, these ideals should not be confused with rushes of emotions. A system is followed in search for the truth, and people should always respect that no matter what the context of the crime of is.

Commission of crimes is as real as it gets. I have learned from this novel that people have different motivations for committing a crime; however, these reasons should never justify the offense, especially if they are just emotionally driven. I have also learned that, sadly, crimes that are cold-bloodedly committed could be backed up by certain rulings.

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