

Sirhan Called a 'Little Sick Boy' By Defense in Final Argument

Defendant Depicted as a 'Poor Wretch' Too Ill to Plot Kennedy's Murder Second-Degree Penalty Is Asked

By DOUGLAS ROBINSON

Special to The New York Times

LOS ANGELES, April 10—A battery of defense attorneys began an intensive effort today to keep Sirhan B. Sirhan from the death penalty, describing him as a "poor wretch" and a "little sick boy" who was too mentally ill to have premeditated the murder of Senator Robert F. Kennedy.

The jury of seven men and five women listened attentively as Grant B. Cooper, the chief defense lawyer, Russel E. Parsons, who has been in the case since last June, and Emile Zola Berman of New York defended Sirhan against the prosecution's charge that he was able to plan and carry out the killing with malice aforethought.

Mr. Cooper, the last of the three attorneys to speak in behalf of Sirhan, began his closing speech to the jury shortly after the luncheon break by telling them that he was not there "to free a guilty man."

"We are not asking for an acquittal," he said solemnly. "Under the facts of this case, whether Mr. Sirhan believes it or not, he deserves to spend the rest of his life in the penitentiary."

Mr. Cooper, a tall, bulky man with a kind and gentle manner, told the jury that lawyers were not required to set a guilty man free, only to represent him. He then started a long discussion of the various sentences the jury could decide upon, including first and second degree murder and manslaughter.

"Under the facts of the case, you could find him guilty of manslaughter, but I wouldn't want Sirhan Sirhan turned loose on society," Mr. Cooper went on to say.

"There are two sides to Sirhan—the good Sirhan and the bad Sirhan," he said. "The bad side is a nasty side. I have learned to love the good little Sirhan, but we as lawyers owe an obligation to society."

"I am going to ask you," he said dramatically, "to find him guilty of murder in the second degree."

Under California law, murder in the second degree carries a penalty of five years to life imprisonment. Only the California adult authority, which controls sentencing and parole for prisoners, can determine the length of the sentence.

Earlier, Mr. Parsons, who opened for the defense, spoke with impassioned, old-fashioned rhetoric as he told the jury that "we are not trying to pull the wool over your eyes," referring to the constant admissions by the defense that Sirhan did shoot Senator Kennedy.

"I would like your verdict to spell in every hamlet on every desert in the Arab republic, in Europe, that a man can get justice in America; and that is neither life imprisonment or the

death penalty, because this case doesn't warrant it—not for this poor sick wretch," he said.

In his summation, Mr. Parsons, who is 69 years old and spoke in a sometimes quavery voice, traced Sirhan's days as a boy in Jerusalem and the grisly scenes he had witnessed in the early days of Israel's fight for independence.

The family, he said, "lived among the barbed wire almost like the camps of Hitler" and saw a great deal of death and destruction. "They came to this country, not as immigrants," he continued, almost in a whisper, "but as refugees in peril."

At one point, the attorney suggested that in the struggle to wrest Sirhan's revolver from him after he had shot Senator Kennedy it was impossible to say whether all eight shots had been fired by the defendant.

"Two powerful men were lying on him," Mr. Parsons said, "and the gun was waving backwards and forwards. Who can say who pulled the trigger? 'Can you be sure?'"

Occasionally Sirhan seemed bemused by some of Mr. Parsons' oratorical flights, such as once, in speaking of mental illness and efforts of psychiatrists to do something about it, he said that even today "there are doctors reaching behind the forehead to find out what in the name of God is wrong."

Psychologists Defended

Mr. Parsons, a white-haired man with a deep tan, told the courtroom that Sirhan was so mentally sick that "he tried to discharge his lawyers from the case" midway through the trial.

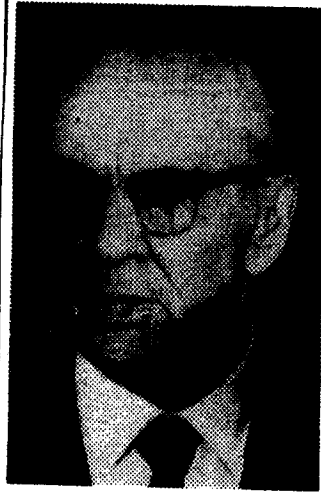
He defended the psychologist and psychiatrists who had testified that Sirhan was mentally incapable of premeditating the killing in a "reasonable and meaningful way" by saying that they were learned men from throughout the country and were "the best men we could get."

Of Sirhan himself, Mr. Parsons said: "I kind of like him." "You can't be around him without feeling sorry for him," he continued in a sad voice. "I've sat here and had him hold my hand like a baby. One minute he's as smart as a whip and the next he can't tell right from wrong, apparently."

"It's going to take a little courage to return a proper verdict in this case," the attorney said in conclusion, "but it must be done—it must go down in the history books."

For his part, Mr. Berman opened by saying that he wanted to "talk to you specifically about a thing called trauma," which he defined as a "blow to what makes the person become what he is."

Sirhan, he said, suffered at least six major traumas ranging from the time his father left the family home in Pasa-



Associated Press

BEGINS SUMMATION: Russel E. Parsons, a defense attorney for Sirhan Sirhan.

dena to the defeat suffered by the Arab nations in the six-day war in the summer of 1967.

The elder Sirhan — and Mr. Berman sardonically referred to him as "dear, old ever-loving dad" — left home with all the family savings after a dispute with his wife and Sirhan "obviously felt some portion of guilt for his father's conduct and for his father's betrayal of the family and the family interests."

Recalls Sirhan's Failures

Mr. Berman recalled how Sirhan had been frustrated in his efforts to succeed in college, had failed to become a famous jockey and how he turned more and more to the study of the occult.

Eventually, his personality became so warped, the lawyer continued, that he wrote a "declaration of war against American humanity" in his notebook. In this declaration, he said, Sirhan wanted to be remembered as "the man who triggered off the last war."

After all his frustrations, Mr. Berman went on, "there was nothing else in the whole world for him except the belief that because of his power he was a big man."

"Instead," he said softly, "he was just a little sick boy."

Mr. Berman stressed to the jury that the defendant had signed his name and address on the register of the gun clubs where he went target shooting in the days preceding the killing, adding that "obviously he was not trying to hide anything."

At the Ambassador Hotel on the night of the shooting, he continued, Sirhan, far from planning an escape after the crime, parked his car "three solid blocks from the hotel."

Mr. Berman renewed his contention that Sirhan was in a self-induced hypnotic trance at the time of the shooting, a trance that was brought on in part by the alcoholic drinks he had consumed and by the flashing lights in the mirrors outside the pantry where the shooting occurred.

"Never has there been a case in which mirrors played such an important part," he said.

He described Senator Kennedy's decision to change his route through the hotel and his unplanned passage through the pantry as one of the "terrible freakish things which changed certainly the history of our country and possibly of the world."

Excerpts From the Defense Arguments

Special to The New York Times

LOS ANGELES, April 10—Following are excerpts from the closing arguments of Russell E. Parsons and Emile Zola Berman, defense attorneys for Sirhan B. Sirhan. The chief defense counsel, Grant B. Cooper, began his argument today. He is expected to finish tomorrow:

Persons

I want to first start and review the background and history of Mr. Sirhan and the family.

The mother took the stand and told you that she and her family were Palestinians; they had lived in Palestine; they had been there for years. There had been a conflict—and I trust you won't feel that I am trying to force the Israeli-Arab conflict upon you—time has done that. For centuries they have been quarreling; they are today. Men are dying over this conflict.

These people were Palestinian Arabs, lived in their native country with a background of civilization behind them, when all of a sudden they had to give up their home, their home that had been their home for years. That is bound to have an effect upon people, when you have to just pack up and leave.

Do you remember what she said? She said, "We thought we'd be home in two weeks. We thought we'd be back."

They never got back—not to this day.

He came to this country and did pretty well. And when his sister was lying with an incurable disease, he played hookey from school that he might tend the wants of the poor dying sister.

He loved his sister and throughout this case it appeared he loved human beings. He even had some respect for Mr. Kennedy.

I am not condoning for a moment the death of a human being.

My opinion doesn't amount to much, but I don't even be-

lieve in the death penalty. I don't believe we have the right to take the life of another man. Only God can do that. That is what they taught me.

I've come to kind of like Sirhan. You can't be around him without feeling sorry for him, as close as we are. I've sat here and had him reach out and take hold of my hand, like a baby—You've seen him. Sure; one minute he appears to be smart as a whip; the next minute he can't tell right from wrong, apparently.

Now, ladies and gentlemen, we conceded a lot here. We conceded that he shot Senator Kennedy. We were not trying to pull the wool over your eyes. We know that a million people saw that. We know that.

I would like your verdict to spell in every hamlet on every desert in the Arab Republic, in Europe, that a man can get justice in America, and that is neither life imprisonment or the death penalty, because this case doesn't warrant it—not for this poor sick wretch. No matter what he did. Think that over.

Berman

I do not intend to repeat any of the matters that were so broadly touched upon by Mr. Parsons, but I do want to talk to you specifically about a thing called trauma, t-r-a-u-m-a.

Now, trauma is a blow or an insult and the term of which I propose talk to you—when I talk about trauma, it is to one's personality—trauma to what makes the person—a blow to what makes the person become what he is, no matter in what reference or framework in any part of the world or the period of life he is confronted with.

And so I am going to talk to you about the traumatic events upon Sirhan, to his personality, from a young boy to a 24-year-old man. What it was that step by step put him in the posture

which created the tragedy that blighted our nation.

I will start not back in Jerusalem; I will start right here in this country.

Papa—dear old ever-loving dad, you might say—arrived with Mama, Adel, Aya, Sirhan and Munir in 1957, through the help of friends, and settled in Pasadena.

Not very long after their arrival here, came the day when working in the back yard—Sirhan—then about 14—interfered as a careless kid in some work that his father was doing and his father was about to strike him when Adel stepped between the father and Sirhan and would not allow Papa to beat the young Sirhan.

Papa immediately confronted Mama, and laid down the gauntlet that she must make a choice between him and the children.

Now just try and contemplate such a scene as that, in the presence of children, the youngest of whom sits here now—scared by that, his first trauma, because what happened was that Mama said, "You are my husband and he"—referring to Sirhan—"is my chick."

Dear ever-loving Dad took all the family's money—every cent of it—and departed for Jordan and has never been heard from since, to this moment as I stand speaking with you.

Now that was Trauma No. 1 in the U.S.A. Sirhan obviously felt some portion of guilt for his father's conduct and for his father's betrayal of the family and the family interests.

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