

## SACCO-VANZETTI CASE

*Note: For a different view of the Sacco-Vanzetti case than is given here, see Richard Newby's essay made available to this site.*

At 3:00 P.M. on April 15, 1920, a paymaster and his guard were carrying a factory payroll of \$15,776 through the main street of South Braintree, Massachusetts, a small industrial town south of Boston. Two men standing by a fence suddenly pulled out guns and fired on them. The gunmen snatched up the cash boxes dropped by the mortally wounded pair and jumped into a waiting automobile. The bandit gang, numbering four or five in all, sped away, eluding their pursuers. At first this brutal murder and robbery, not uncommon in post-World War I America, aroused only local interest.

Three weeks later, on the evening of May 5, 1920, two Italians, Nicola Sacco and Bartolomeo Vanzetti, fell into a police trap that had been set for a suspect in the Braintree crime. Although originally not under suspicion, both men were carrying guns at the time of their arrest and when questioned by the authorities they lied. As a result they were held and eventually indicted for the South Braintree crimes. Vanzetti was also charged with an earlier holdup attempt that had taken place on December 24, 1919, in the nearby town of Bridgewater. These events were to mark the beginning of twentieth-century America's most notorious political trial.



Sacco & Vanzetti

Contrary to the usual practice of Massachusetts courts, Vanzetti was tried first in the summer of 1920 on the lesser of the two charges, the failed Bridgewater robbery. Despite a strong alibi supported by many witnesses, Vanzetti was found guilty. Most of Vanzetti's witnesses were Italians who spoke English poorly, and their trial testimony, given largely in translation, failed to convince the American jury. Vanzetti's case had also been seriously damaged when he, for fear of revealing his radical activities, did not take the stand in his own defense.

For a first criminal offense in which no one was hurt, Vanzetti received a sentence that was much harsher than usual, ten to fifteen years. This signaled to the two men and their supporters a hostile bias on the part of the authorities that was political in nature and pointed to the need for a new defense strategy in the Braintree trial.

On the advice of the anarchist militant and editor Carlo Tresca, a new legal counsel was brought in—Fred H. Moore, the well-known socialist lawyer from the West. He had collaborated in many labor and Industrial Workers of the World trials and was especially noted for his important role in the celebrated Ettor-Giovannitti case, which came out of the 1912 Lawrence, Massachusetts, textile strike.

The arrest of Sacco and Vanzetti had coincided with the period of the most intense political repression in American history, the "Red Scare" 1919-20. The police trap they had fallen into had been set for a comrade of theirs, suspected primarily because he was a foreign-born radical. While neither Sacco nor Vanzetti had any previous criminal record, they were long recognized by the authorities and their communities as anarchist militants who had been extensively involved in labor strikes, political agitation, and antiwar propaganda and who had had several serious confrontations with the law. They were also known to be dedicated supporters of Luigi Galleani's Italian-language journal *Cronaca Sovversiva*, the most influential anarchist journal in America, feared by the authorities for its militancy and its acceptance of revolutionary violence. *Cronaca*, because of its uncompromising antiwar stance, had been forced to halt publication immediately upon the entry of the U.S. government into World War I.

in 1917; its editors were arrested and at war's end deported to Italy, in 1919. During this period the government's acts of repression, often illegal, were met in turn by the anarchists' attempts to incite social revolution, and at times by retaliatory violence; the authorities and *Cronaca* were pitted against each other in a bitter social struggle just short of open warfare. A former editor of *Cronaca* was strongly suspected of having blown himself up during an attempt on Attorney General Palmer's home in Washington, D.C. on June 2, 1919, an act that led Congress to vote funds for anti-radical investigations and launch the career of J. Edgar Hoover as the director of the General Intelligence Division in the Department of Justice. The Sacco-Vanzetti case would become one of his first major responsibilities. In 1920, as the Italian anarchist movement was trying to regroup, Andrea Salsedo, a comrade of Sacco and Vanzetti, was detained and, while in custody of the Department of Justice, hurled to his death. On the night of their arrest, authorities found in Sacco's pocket a draft of a handbill for an anarchist meeting that featured Vanzetti as the main speaker. In this treacherous atmosphere, when initial questioning by the police focused on their radical activities and not on the specifics of the Braintree crime, the two men lied in response. These falsehoods created a "consciousness of guilt" in the minds of the authorities, but the implications of that phrase soon became a central issue in the Sacco-Vanzetti case: Did the lies of the two men signify criminal involvement in the Braintree murder and robbery, as the authorities claimed, or did they signify an understandable attempt to conceal their radicalism and protect their friends during a time of national hysteria concerning foreign-born radicals, as their supporters were to claim?

Their new lawyer, Moore, completely changed the nature of the legal strategy. He decided it was no longer possible to defend Sacco and Vanzetti solely against the criminal charges of murder and robbery. Instead he would have them frankly acknowledge their anarchism in court, try to establish that their arrest and prosecution stemmed from their radical activities, and dispute the prosecution's insistence that only hard, nonpolitical evidence had implicated the two men in common crimes. Moore would try to expose the prosecution's hidden motive: its desire to aid the federal and military authorities in suppressing the Italian anarchist movement to which Sacco and Vanzetti belonged.

Moore's defense of the two men soon became so openly and energetically political that its scope quickly transcended its local roots. He organized public meetings, solicited the support of labor unions, contacted international organizations, initiated new investigations, and distributed tens of thousands of defense pamphlets throughout the United States and the world. Much to the chagrin of some anarchist comrades, Moore would even enlist the aid of the Italian government in the defense of Sacco and Vanzetti, who were still, nominally at least, Italian citizens. Moore's aggressive strategy transformed a little known case into an international cause celebre.

After a hard-fought trial of six weeks, during which the themes of patriotism and radicalism were often sharply contrasted by the prosecution and the defense, the jury found Sacco and Vanzetti guilty of robbery and murder on July 14, 1921. This verdict marked, however, only the beginning of a lengthy legal struggle to save the two men. It extended until 1927, during which time the defense made many separate motions, appeals, and petitions to both state and federal courts in an attempt to gain a new trial.

Presented in these motions were evidence of perjury by prosecution witnesses, of illegal activities by the police and the federal authorities, a confession to the Braintree crimes by convicted bank robber Celestino Madeiros, and powerful evidence that identified the gang involved in the Braintree affair as the notorious Morelli Gang. All were ruled on and rejected by Judge Webster Thayer, the same judge who earlier had so severely sentenced Vanzetti. Judge Thayer would even rule on a motion accusing himself of judicial prejudice. His conduct—or misconduct—during the trials and the appeals became another of the controversial issues surrounding the case, but it, too, would prove insufficient to bring about a new trial.

From the beginning, Moore's strategy of politicizing the trial in tradition-bound Massachusetts had been



controversial and confrontational. His manner of utilizing mass media was quite modern and effective, but it required enormous sums of money, which he spent too freely in the eyes of many of the anarchist comrades of Sacco and Vanzetti, who had to raise most of it painstakingly from working people, twenty-five and fifty cents at a time. Moore's efforts came to be questioned even by the two defendants, when he, contrary to anarchist ideals, offered a large reward to find the real criminals. As a result, in 1924 he was replaced by a respected Boston lawyer, William Thompson, who assumed control of the legal defense for the last three years of the case. Thompson, a Brahmin who wanted to defend the reputation of Massachusetts law as well as the two men, had no particular sympathy for the ideas of the two men, but he later came to admire them deeply as individuals.

Thompson's defense no longer emphasized the political, but these aspects of the case, once they had been set into motion, could not be stopped and continued to gain momentum. Throughout America liberals and well-meaning people of every sort, troubled and outraged by the injustice of the legal process, joined the more politically radical anarchists, socialists, and communists in protesting the verdict against Sacco and Vanzetti. Felix Frankfurter, then a law professor at Harvard, who did more than any individual to rally "respectable" opinion behind the two men, saw the case as a test of the rule of law itself. Ranged against the defenders of Sacco and Vanzetti were conservatives and patriots who wanted to defend the honor of American justice and to uphold law and order. Many of them came to see these protests as an attack upon the "American way of life" on behalf of two common criminals.

On April 9, 1927, after all recourse in the Massachusetts courts had failed, Sacco and Vanzetti were sentenced to death. By then the dignity and the words of the two men had turned them into powerful symbols of social justice for many throughout the world. Public agitation on their behalf by radicals, workers, immigrants, and Italians had become international in scope, and many demonstrations in the world's great cities--Paris, London, Mexico City, Buenos Aires--protested the unfairness of their trial. This great public pressure, combined with influential behind-the-scenes interventions, finally persuaded the governor of Massachusetts, Alvan T. Fuller, to consider the question of executive clemency for the two men. He appointed an advisory committee, the "Lowell Committee," so-called because its most prominent member was A. Lawrence Lowell, president of Harvard University. The committee, in a decision that was notorious for its loose thinking, concluded that the trial and judicial process had been just "on the whole" and that clemency was not warranted. It only fueled controversy over the fate of the two men, and Harvard, because of Lowell's role, became stigmatized, in the words of one of its alumni, as "Hangman's House." "Not every wop has the switch to the electric chair thrown by the president of Harvard."

Sacco and Vanzetti were executed on August 23, 1927, a date that became a watershed in twentieth-century American history. It became the last of a long train of events that had driven any sense of utopian vision out of American life. The workings of American democracy now seemed to many Americans as flawed and unjust as many of the older societies of the world, no longer embodying any bright ideal, but once again serving the interests of the rich and the powerful. American intellectuals were powerfully moved by the case. In his epochal masterpiece, *USA*, John Dos Passos raged in one "Camera Eye" episode,

All right you have won ... America our nation has been beaten by strangers who have turned our language inside out ... they have built the electric chair and hired the executioner to throw the switch ... all right we are two nations ...

while Edmund Wilson coolly observed that the Sacco-Vanzetti case

revealed the whole anatomy of American life with all its classes, professions, and points of view and all their relations, and it raised almost every fundamental question of our political

and social system.

Up to the present, most writers have focused their attention on the legal, social, and cultural dimensions of the Sacco-Vanzetti case. The legal dimension, in particular, has been rather exhaustively considered, and its two major issues--the fairness of the trial and the innocence or guilt of the two men--still dominates most of the literature about the case.

Earlier opinion almost unanimously felt that the two men were innocent and had been unjustly executed, but later revisionist points of view emerged: some totally, if implausibly, defending the verdict as correct; others more plausibly arguing that, based on new ballistics tests and words by Carlo Tresca and Fred Moore, Sacco was guilty, Vanzetti innocent. No single account nor any ballistics test has been able to put all doubts about innocence or guilt completely to rest, despite the two most recent books that have claimed to have done so, while arriving at almost directly opposite conclusions.

Surprisingly, although the Sacco-Vanzetti case is considered the political case par excellence, few accounts have taken the politics of the two men--their anarchism--very seriously and fewer still are knowledgeable about it. As in all great political trials, the figures of Sacco and Vanzetti have been transformed into passionate symbols, symbols that are often rather understood. A full and accurate account of the political dimension--and, in particular, the anarchist dimension--still remains to be written. The importance of the Sacco-Vanzetti case remains not only because it called into question some of the fundamental assumptions of American society, but because it calls into question some of the fundamental assumptions of American history.

--written by Robert D'Attilio

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## REFERENCES

- *The Sacco-Vanzetti Case: Transcript of the Record of the Trial of Nicola Sacco and Bartolomeo Vanzetti in the Courts of Massachusetts and Subsequent Proceedings, 1920-7.* 5 vols. with supplemental volume. Mamaroneck, N.Y.: P. P. Appel, 1969.
- D'Attilio, Robert, and Jane Manthorn, et alia. *Sacco Vanzetti: Developments and Reconsiderations*, 1979. Boston: Boston Public Library, 1979.
- Ehrmann, Herbert B. *The Case That Will Not Die*. Boston: Beacon Press, 1969.

## ARCHIVAL SOURCES

- Aldino Felicani Sacco-Vanzetti Collection. Boston Public Library.
- Sacco-Vanzetti Case Papers. Harvard Law Library.
- H. B. Lehrmann Papers. Harvard Law Library.
- Department of Justice/FBI Sacco-Vanzetti Papers. National Archives, Washington, D.C.
- Massachusetts State Police Sacco-Vanzetti Files. Massachusetts State Archives.

See also Richard Newby's summary of the Sacco and Vanzetti case.