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ESSAY

The Unending Trial of Sacco and Vanzetti

A century ago, the murder conviction of two Italian immigrants set off a worldwide protest movement and revealed a polarized America



Bartolomeo Vanzetti (left) and Nicola Sacco handcuffed together in court, ca. 1923.

PHOTO: ALAMY

By Bruce Watson

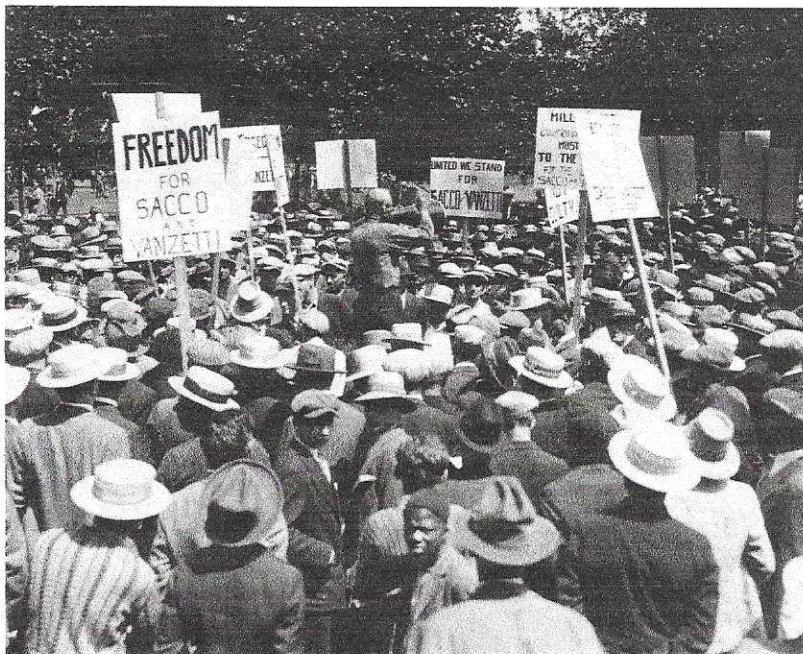
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A century ago this week, on the evening of July 14, 1921, a verdict was announced in the murder trial of Nicola Sacco and Bartolomeo Vanzetti. The complex trial, held at the courthouse in Dedham, Mass., had lasted seven weeks and involved 167 witnesses, with confusing ballistics reports and testimony in Spanish and Italian. Deliberations were expected to drag on for a day or more, but just hours after closing arguments the jury pronounced the men guilty, and they were sentenced to death. Sacco, a 30-year-old shoemaker, cried out in Italian, “*Sono innocente!*” (“I am innocent!”). Vanzetti, a 33-year-old fishmonger, seemed stunned.

At the time, the conviction of Sacco and Vanzetti was barely noticed by the wider world. Within a few years, however, the case had become a political cause célèbre. Claiming the

men had been convicted for their political beliefs, protests raged in capitals from London to Tokyo. A century later, the affair, with its dueling accounts of the facts and intense ideological passions, offers a reminder that political polarization in America has been with us for a long time. On the eve of Sacco and Vanzetti's execution on Aug. 23, 1927, the novelist John Dos Passos wrote: "All right, we are two nations."

The saga that ended in the electric chair began on April 15, 1920, when two guards were gunned down outside the Slater-Morrill Shoe Company in Braintree, Mass. Two gunmen escaped with the steel boxes containing the factory's payroll, some \$15,000. Under intense pressure to solve the shocking crime, the police staked out a mechanic's shop where they believed a car connected to the robbery was being repaired, and a few weeks later Sacco and Vanzetti showed up to retrieve it, falling into the trap. At the time of their arrest they were armed to the teeth, and in mug shots published throughout Boston they appeared as sinister "yeggs," the 1920s term for a gangster.



A protest in New York City against the impending execution of Sacco and Vanzetti, August 1927.

PHOTO: EVERETT COLLECTION

Questioning revealed that both men were anarchists—supporters of a radical political movement that called for the destruction of all government and used assassination as a propaganda tool. Since 1900, anarchists had killed several world leaders, including President William McKinley. In 1919, a terrorist group calling itself "The Anarchist Fighters" coordinated midnight bombings in eight Eastern cities. On Sept. 16, 1920, five days after Sacco and Vanzetti were indicted, a friend from their anarchist circle rigged a bomb that killed 33 people on Wall Street.

Supporters of Sacco and Vanzetti have long claimed they were political prisoners, convicted for their anarchist views. But members of the jury maintained that they never discussed anarchism during deliberations. Perhaps they did not need to. To the all-Anglo jury, it may have been too easy to see the Italian prisoners seated in an iron cage as guilty, even though witnesses were all over the map—some “positive” that Sacco and Vanzetti were the gunmen, others uncertain. The prosecution said that a cap found at the crime scene fit Sacco, but he struggled to put it on and said it was “too tight.” Several witnesses swore to seeing the men elsewhere on the day of the crime, but as Massachusetts Governor Alvan T. Fuller later said, “Those are Italians; you can’t accept any of their words.”

Two weeks into the trial, the prosecution test-fired Sacco’s gun, with his permission. Four bullets had been removed from one of the victims, and a state policeman testified that one of them proved “consistent with being fired by that pistol.” And the other three bullets? The defense, in one of many baffling oversights, said nothing about them.

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After the guilty verdict, Sacco and Vanzetti expected to be executed within months. Defense lawyers filed five appeals, based on recanting witnesses, doubts about ballistics and the jury foreman’s prejudicial statement, made before the trial, that even if they were innocent “they ought to hang them anyway.” All five were denied by trial judge Judge Webster Thayer, whose view of Sacco and Vanzetti was clear from a comment he made to a friend after turning down the appeals: “Did you see what I did to those anarchist bastards?”

The defense team kept interest in the case alive by reaching out to labor groups, who mounted protests throughout Europe. Meanwhile, as Sacco and Vanzetti languished in prison, new reasons for doubt emerged, including a confession by a convicted murderer

claiming that his gang had committed the Braintree robbery. The gang leader, Joe Morelli, was a dead ringer for Sacco.

But further appeals were rejected by Judge Thayer, and public opinion in Massachusetts, then a bastion of Yankee conservatism, proved equally intractable. A widely read attack on the verdict by Harvard law professor and future Supreme Court justice Felix Frankfurter failed to soften determination to end the affair with an execution. Speaking before a civic club, one Boston lawyer said, "No two lives are of greater import than the stability of our courts."

In the spring of 1927, after the defendants had exhausted their last appeals and their execution was imminent, world-wide protest flared. Gov. Fuller appointed a three-man commission to investigate the case, chaired by Harvard president A. Lawrence Lowell. All that summer, the commission met in secret, interviewing witnesses, the judge and the lawyers. When a defense lawyer suggested that the incriminating bullet was planted by the police, commission members were shocked into silence. In August, when the commission backed the verdict, Sacco and Vanzetti were doomed.

Parliaments and pundits in dozens of countries heaped scorn on Judge Thayer and Massachusetts.

Critics of the verdict saw the case of Sacco and Vanzetti as typical of American justice; the Soviet Union championed them as martyrs of capitalism. As the date of the execution approached, writers including Dos Passos, Dorothy Parker and Edna St. Vincent Millay came to Boston to picket. From England, George Bernard Shaw called the case "a frame-up." Parliaments and pundits in dozens of countries heaped scorn on Judge Thayer and Massachusetts. But shortly after midnight on August 23, first Sacco and then Vanzetti went to the electric chair.

Their deaths didn't put an end to the case in the court of public opinion. When their letters from jail were published in 1928, the influential pundit Walter Lippmann called them "the letters of innocent men." The outrage lived on in songs by Woody Guthrie, plays, novels and memoirs. Historians have continued to sift through the labyrinthine case to argue for the men's innocence, or occasionally their guilt, but no one has ever found clear evidence that they committed the murders. The inescapable fact is that the men deserved a second trial.

Though Sacco and Vanzetti are no longer household names, their fate deserves to be remembered. “Everything should be done to keep alive the tragic affair of Sacco and Vanzetti in the conscience of mankind,” Albert Einstein wrote in 1947. “They remind us of the fact that even the most perfectly planned democratic institutions are no better than the people whose instruments they are.”

—*Mr. Watson is the author of “Sacco and Vanzetti: The Men, the Murders and the Judgment of Mankind.” He is the creator of the online magazine The Attic.*

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