

association. This position is derived from the belief that human nature is inherently good. Historians trace its origin to the end of the 18th century, but its high point came in the period between 1870 and the Russian Revolution of 1917.

**Bolshevism** • The doctrine or program of the Bolsheviks, the extremist wing of the Russian Social Democratic party that seized power in 1917. Often used as a synonym for Communism.

**Industrial Workers of the World (IWW)** • a radical labor organization formed in June 1905 with the intention of uniting all workers into one big union and overthrowing capitalism. It was greatly damaged by government oppression during World War I. After the Russian Revolution, the Communist Party generally superseded it as the preferred organization of political radicals.

**Palmer Raids** • A crackdown on suspected radicals masterminded by U.S. Attorney General A. Mitchell Palmer. On January 2, 1920, nearly 3,000 people were rounded up in 33 U.S. cities.

**Red Scare** • The first wave of anti-Communism in the United States (1919-1920), it focused on foreigners and labor unions. It was largely successful in destroying the influence of the Communist Party and other radical groups in the 1920s, although at the cost of violations of civil liberties.

### Laws, Cases, and Legal Terms

• **Abrams v. United States** – On Nov. 10, 1919, the U.S. Supreme Court ruled that the government could criminalize anti-American speech. The plaintiff had produced and distributed leaflets that were pro-revolution in Russia and urged U.S. factory workers to strike.

• **Discovery** – The exchange of documents, lists of witnesses, and other information between the two sides of a criminal prosecution before trial. In short, the prosecution must share its evidence with the defense, and vice versa. The failure of the prosecution to do that is considered one of the major flaws of the Sacco-Vanzetti murder trial.

• **Espionage Act** – Passed by Congress on June 15, 1917, a law that mandated fines or imprisonment for anyone who interfered with the draft or attempted to encourage disloyalty.

• **Schenk v. United States** – A U.S. Supreme Court decision of 1919 that upheld the constitutionality of the Espionage Act. In it, Justice Oliver Wendell Holmes, Jr., introduced the “clear-and-present-danger” standard as a means of judging the state’s power to limit speech. Holmes used the now-famous example of “falsely shouting fire in a theater” as an example of speech that should be allowed.

• **Sedition Act** – A law passed by Congress on May 16, 1918. It mandates fines or imprisonment for anyone attempting to overthrow the government.

### Things to Think About

• What personal knowledge do you have of the immigrant experience? Do you know any Americans born overseas, or are you one yourself? Do you think the number of immigrants coming to the United States nowadays is too great, too small, or about right? In what way is it easier to be an immigrant in the United States now than it was in Sacco and Vanzetti’s era? More difficult?

• Imagine that you are a legislator in the 1920s who has closely followed the Sacco-Vanzetti case. Based on your knowledge, what reforms would you recommend for the court system and for the procedures that the police follow when making an arrest?

• It is often said that one of the signs of a truly free country is that it permits the expression of views that the majority of the population may consider false or offensive. Nevertheless, do you think there are some ideas and forms of speech that should be forbidden by law? What might be some examples?

• The bomb attacks that occurred across the United States on June 2, 1919, show that the threat posed by terrorists was not imaginary. Many law enforcement officials believe that terrorism is a danger in the United States today. Research some examples of recent terrorist activity. What forms might terrorism take today? How can the law combat terrorism without infringing on the civil liberties of citizens?

### Internet Resources

<http://www.crimelibrary.com/sacco/saccomain.htm> – An objective and comprehensive survey of the trial with an extensive bibliography.

<http://www.english.upenn.edu/~afilreis/88/sacvan.html> – Overview of the trial with a useful bibliography and link to an alternate opinion of events.

<http://ng.netgate.net/~wms/SandV.html> – A site that argues that the ballistics evidence in the case was flawed.

<http://www.msu.edu/~browne2/school/report/> – A report on the case from Michigan State University.

<http://www.christymoore.net/lyrics/sacco.html> – Lyrics for the protest song “Sacco and Vanzetti” by folksinger Woody Guthrie.

<http://www.bpl.org/WWW/AdultBooklists/sacco.html> – From the Boston Public Library, a bibliography of works on the case.

<http://foia.fbi.gov/vanzetti.htm> – A vast collection of documents collected by the FBI relevant to the Sacco and Vanzetti case.

<http://www.theatlantic.com/unbound/flashbks/oj/frankff.htm> – The text of a famous article on the case by the eminent jurist Felix Frankfurter that appeared in the Atlantic Monthly in March 1927.

<http://emc.syr.edu/tour/TOUR10.HTM> – A mosaic at Syracuse University by the artist Ben Shahn entitled “The Passion of Sacco and Vanzetti.”

<http://www.law.umkc.edu/faculty/projects/FTrials/SaccoV/SaccoV.htm> – From the University of Missouri at Kansas City’s Web Site, “Famous American Trials,” the section on Sacco and Vanzetti.

### Other Resources

*For students:*

**Rappaport, Doreen.** *The Sacco-Vanzetti Trial.* HarperCollins, 1992.

*For adults:*

**Avrich, Paul.** *Sacco and Vanzetti: The Anarchist Background.* Princeton University Press, 1991.

**D'Alessandro, Frank M.** *The Verdict of History on Sacco and Vanzetti.* Jay Street Publishers, 1997.

**Ehrmann, Herbert B.** 1969. *The Case That Will Not Die.* Little, Brown, 1969.

**Fraenkel, Osmond K.** *The Sacco-Vanzetti Case.* The Notable Trials Library, 1990.

**Frankfurter, Marion Denman, ed.** *The Letters of Sacco and Vanzetti.* Penguin, 1997.

**Frankfurter, Felix.** *The Case of Sacco and Vanzetti.* Little, Brown, 1962.

**Jackson, Brian.** 1981. *The Black Flag: A Look Back at the Strange Case of Nicola Sacco and Bartolomeo Vanzetti.* Routledge Kegan and Paul, 1981.

**Kadane, Joseph, and Schum, David.** *A Probabilistic Analysis of the Sacco and Vanzetti Evidence.* John Wiley & Sons, 1996.

*The Sacco-Vanzetti Case: Transcript of the Record of the Trial of Nicola Sacco and Bartholomeo Vanzetti in the Courts of Massachusetts and Subsequent Proceedings, 1920-27.* H. Holt, 1928-29.

**Young, William.** *Postmortem: New Evidence in the Case of Sacco and Vanzetti.* University of Massachusetts Press, 1985.

*Several plays were written that are based in part or entirely on the Sacco and Vanzetti case. The most famous is Maxwell Anderson's verse play Winterset; another is The Male Animal by James Thurber and Elliott Nugent. Novels based on Sacco and Vanzetti were written by H.G. Wells, John Dos Passos, and James T. Farrell. The one usually considered the finest is Upton Sinclair's Boston, which was published in 1928. An Italian movie, Sacco and Vanzetti, directed by Giuliano Montaldo, appeared in 1971. A television miniseries, The Sacco-Vanzetti Story, was aired in 1960.*

## LANDMARK AMERICAN TRIALS

### SACCO AND VANZETTI

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# LANDMARK AMERICAN TRIALS

Some trials take on a significance that is larger than the verdict itself. Such trials are shaped by the tenor and emotions of the era in which they occur, and in turn may reshape prevailing attitudes. The trials of this series fall into that category. Whether pointing up the anti-anarchistic hysteria demonstrated in the 1921 Sacco and Vanzetti trial or the anti-Communist fervor exhibited during the 1951 Rosenberg case, these trials become miniature history lessons that can provide as much insight into an age as a history textbook.

## SACCO AND VANZETTI

On April 15, 1920, in South Braintree, Massachusetts, while carrying a \$16,000 payroll, a paymaster and a guard were shot and killed by two men. The men grabbed the money and fled in a getaway car. About three weeks later, the police arrested Nicola Sacco and Bartolomeo Vanzetti as suspects. They were Italian immigrants, but, more importantly, within the context of the atmosphere surrounding their trial, they were active political anarchists. What began as a murder trial soon became a lightning rod for the inflamed emotions associated with the politics of anarchy and immigration. The end came with much of the country, along with many other people around the world, believing that two innocent men had been executed because they held radical political views.



## Aliens, Radicals, and the “Red Scare”

• Although the 1920s are often remembered in the United States as a carefree time of prosperity, jazz, and bootleg liquor, the decade actually began in a climate of uncertainty and fear. It was not obvious that good times would follow World War I. Between 1920 and 1921, unemployment more than tripled, bankruptcies more than doubled, and farm prices were almost cut in half. Also, once the war was over, many American workers resumed the efforts to organize unions and fight for better working conditions that had begun in the 19th century. As a result, the country was rocked by large and often violent strikes. It was not until 1922 that the economy got back on its feet, labor unrest quieted, and the nation entered an affluent age that would last until the Great Depression.

• During World War I, the U.S. Congress, in a fit of patriotic fervor, began passing harsh laws aimed at crushing “disloyalty.” Eventually, more than 1,500 people were arrested. But even before that, the 19th-century political philosophy known as anarchism had terrified many both in the United States and Europe. Although its doctrines, which advocated the overthrow of the political state and its replacement by voluntarily organized groups, were idealistic, its methods were often violent. Then, in 1917, the government of Russia was taken over by Communists who advocated a world revolution and sought to spread their system to other nations. This, and the events at home, set off a fear of Communism and other radical movements dubbed the “red scare.”

• To many in the United States, doctrines like anarchism, Communism, and atheism were not American but evil exports from Europe. And many people made no distinction among such doctrines – all were un-American and dangerous. Thus it was common to link these philosophies with the great flood of immigrants pouring into the United States. Between 1890 and 1914, about 15 million immigrants came to America. Many of them were unskilled laborers, and most of them came not from familiar places like England, Wales, Ireland, Germany, and Scandinavia, but from southern and eastern Europe. Among them were many Italians, Poles, Jews, Greeks and Hungarians. The unfamiliar customs and languages of the new arrivals disturbed many old-time Americans, who feared these foreign ways would contaminate American culture.

• This was the climate in which the trial of Nicola Sacco and Bartolomeo Vanzetti took place. For many Americans, the pair represented all that they feared – disloyalty, anarchism, labor radicalism, and foreign customs.

## The Issues

The trial of Sacco and Vanzetti was historically important because it brought together so many issues that were then, and still are now, hotly debated in the United States. Some of them are:

- **Anti-immigration Feeling in American Life** – In the United States, anti-immigrant sentiment is also known as “nativism.” It can be traced back to at least 1798, when Congress passed the “Alien Acts.” In the 1830s nativism became predominantly anti-Catholic, a feeling that peaked with the rise of the “Know-Nothing” Party in the 1850s. In the late 19th century, fear of radicals replaced anti-Catholicism as the foundation of nativism. It is this sentiment that fueled much of the resentment against Sacco and Vanzetti.
- **Class Distinctions** – Sociologists define class as a large category or group of people within a system of social stratification who have a similar socioeconomic status in relation to other socioeconomic segments of the society or community. In practical terms, when the law is involved, critics often argue that persons at the bottom of the economic ladder find it more difficult to receive just treatment from the court system and law enforcement authorities. Students of the Sacco-Vanzetti case often point to this as a factor in their convictions.
- **Atheism and the American Way** – Foreign visitors to the United States have often commented on the country’s strong religious character. Freedom of religion is guaranteed by the Constitution, but because of the nation’s religiosity, persons who profess no religion, or who are atheists, as Sacco and Vanzetti were, are often resented as bearers of dangerous ideas.
- **Resisting the Draft** – Conscription, also called the draft, is compulsory enrollment for service in a country’s armed forces. It was first applied in the United States during the Civil War (1861-65) by both North and South. It was abandoned when the war was over and then revived during World War I.

## Events of the Case

**1908** • Sacco and Vanzetti arrive in the U.S. (separately).

**January 12, 1912** • Textile workers strike in Lawrence, Mass. Sacco raises money to help them.

**1913** • Vanzetti moves to Plymouth, Mass.

**Autumn 1917** • Sacco and Vanzetti return from Mexico after avoiding the draft.

**December 24, 1919** • Attempted robbery in Bridgewater, Mass.

**April 15, 1920** • South Braintree robbery and murder.

**May 3, 1920** • While in police custody, anarchist Andrea Salsedo dies after falling from a 14th floor window.

**May 5, 1920** • Sacco and Vanzetti are arrested.

**June 22, 1920** • Trial of Vanzetti for Bridgewater robbery attempt begins.

**July 1, 1920** • Vanzetti is found guilty of attempted robbery and attempted murder.

**September 11, 1920** • Sacco and Vanzetti are indicted for the South Braintree murders.

**May 31, 1921** • Murder trial of Sacco and Vanzetti begins.

**July 14, 1921** • Sacco and Vanzetti are found guilty of murder.

**October 1924** • Judge Thayer denies all motions for a new trial.

**1925** • Celestino Medeiros, a member of the Morelli gang, confesses to the South Braintree murders.

**April 9, 1927** • Sacco and Vanzetti are sentenced to death.

**May 3, 1927** • Vanzetti petitions the governor of Massachusetts, claiming the he and Sacco are innocent.

**July 27, 1927** • The Lowell Committee upholds the convictions of Sacco and Vanzetti.

**August 23, 1927** • Sacco and Vanzetti are executed.

**August 28, 1927** • Funeral of Sacco and Vanzetti.

**1977** • Massachusetts Governor Michael Dukakis proclaims August 23 to be Nicola Sacco and Bartolomeo Vanzetti Memorial Day.

**1983** • New tests show bullet #3 was fired from Sacco’s gun.

**August 23, 1997** – Sculpture created in 1927 as tribute to Sacco and Vanzetti is formally dedicated in Boston, 70 years after their deaths.

## Other Events

**May 4, 1886** • Seven policemen killed by dynamite explosion during clash with labor unionists in Haymarket Square, Chicago. 8 anarchists, 6 immigrants, convicted of the crime, creating a stereotype of bomb-throwing foreigners.

**September 14, 1901** • President McKinley dies after being shot by anarchist Leon Czolgosz.

**June 1905** • Founding of radical labor organization The Industrial Workers of the World (IWW, or Wobblies), it gains reputation for violence and revolutionary goals.

**April 6, 1917** • U.S. enters World War I.

**May 18, 1917** • Congress passes Selective Service Act instituting military draft.

**June 15, 1917** • Congress passes Espionage Act, mandates fines or imprisonment for anyone interfering with draft or encouraging disloyalty.

**November 7, 1917** • The Bolsheviks, later to be called Communists, seize power in Russia.

**May 16, 1918** • Congress passes Sedition Act, allows prosecution of pacifists and radical political groups opposed to the war.

**January 1919** • Communist attempt to create German revolution fails.

**January 25, 1919** • U.S. Department of Labor announces serious rise in unemployment.

**June 2, 1919** • Seven U.S. cities hit by bomb attacks; 67 suspected anarchists eventually arrested.

**August 2, 1919** • U.S. railway workers strike for higher wages.

**August 22, 1919** • 300,000 steelworkers strike in Pittsburgh.

**August 31, 1919** • The American Communist Party is founded.

**October 29, 1919** • U.S. troops take over Gary, IN when striking steelworkers riot. Communists & radicals seen as behind strikes.

**December 10, 1919** • Eight-week coal miners strike ends.

**December 17, 1919** • Motion picture executives pledge an effort to combat the spread of Communism and radicalism.

**January 2, 1920** • In the Palmer Raids, 3,000 suspected radicals are rounded up in 33 U.S. cities.

**January 14, 1920** • Berlin is placed under martial law as some 40,000 radicals storm the Parliament.

**April 14, 1920** • U.S. Attorney General A. Mitchell Palmer charges current railroad strike is part of conspiracy by Communist agitators.

**Sept. 16, 1920** • Wall Street bomb kills 30 people in New York City.

**January 21, 1921** • Unemployed in U.S. reaches 3.5 million.

**May 21, 1921** • Congress passes law setting quotas for immigration.

**March 1922** • 600,000 coal miners go on strike across the U.S.

**July 1, 1922** • 400,000 railroad workers go out on strike.

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Persons of certain political persuasions, such as pacifists, believe that conscription is morally wrong. Because Sacco and Vanzetti opposed World War I as an “imperialist” war, they believed that it was right to resist the draft – another factor that made them suspect to many Americans, especially in the patriotic climate that developed during World War I.

• **Radicalism and Free Speech** – Radical means “to the root of things.” In political terms, it means advocating measures for fundamental structural change in society, particularly in its political economy. It is most properly used to refer to such views as socialism, Communism, and anarchism. Generally, anarchism means absence of rules. Political anarchism holds that any organized form of control is unnecessary and undesirable and that if organized control, i.e., the state, is abolished, the evils of human life will disappear. Although the right to express radical ideas is basically protected by the Bill of Rights, American history is full of examples of attempts to curtail the circulation of such ideas, and holders of them, like Sacco and Vanzetti, have been periodically subjected to persecution.

## Important People

**Andrews, Lola** • Prosecution witness in the murder trial. The defense fails to point out an important contradiction in her testimony.

**Berardelli, Alessandro** • Guard killed in the South Braintree robbery.

**Brini, Beltrando** • 13-year-old witness who provides an alibi for Vanzetti in the Bridgewater trial.

**Buda, Mario (Mike Boda)** • Anarchist active in Massachusetts; friend of Sacco and Vanzetti. Probably behind the Wall Street bombing of Sep. 16, 1920.

**Dukakis, Michael** • Governor of Massachusetts (1975-1979) who issues a proclamation in 1977 exonerating Sacco and Vanzetti.

**Einstein, Albert** (1879-1955) • Theoretical physicist and creator of the theory of relativity; one of many international figures who protested the executions of Sacco and Vanzetti.

**Fuller, Alvan** • Governor of Massachusetts (1925-1929) who appoints a commission to review the Sacco and Vanzetti murder convictions. He later turns down a petition for clemency.

**Galleani, Luigi** • Anarchist theoretician and speaker and advocate of terrorism and violence; strong influence on Sacco and Vanzetti.

**Katzmann, Frederick** • Prosecuting attorney in both the Vanzetti Bridgewater trial and the Sacco and Vanzetti murder trial.

**Lowell, A. Lawrence** • President of Harvard and head of advisory panel reviewing the Sacco and Vanzetti case. His committee upholds the conviction.

**Mann, Thomas** (1875-1955) • Nobel-prize-winning German novelist; one of many international figures protesting the executions of Sacco and Vanzetti.

**Moore, Fred** • Defense attorney in the Sacco and Vanzetti murder trial; well known as a defender of members of the IWW.

**Palmer, A. Mitchell** • U.S. Attorney General (1919-1921). Architect of a crackdown on suspected radicals.

**Parmenter, Frederick** • Paymaster killed in the South Braintree robbery.

**Salsedo, Andrea** • Comrade of Sacco and Vanzetti; dies after a fall from a 14th floor window while in police custody.

**Stewart, Michael** • Bridgewater, Mass., police chief; investigator of the Bridgewater and South Braintree crimes.

**Thayer, Webster** • Judge in Vanzetti’s trial for the Bridgewater crime and the Sacco and Vanzetti murder trial.

**Thomas, Norman** (1884-1968) • Six time Socialist Party candidate for U.S. president; organized large rally protesting the Sacco and Vanzetti executions.

**Vahey, John** • Vanzetti’s lawyer in the Bridgewater trial.

**Wade, Lewis** • Prosecution witness in the murder trial who changes his mind about identifying Sacco as the murderer.

**Wells, H.G.** (1866-1946) • British novelist, philosopher, and historian especially known as a pioneer of science fiction; one of many international figures who protested the executions of Sacco and Vanzetti.

## Vocabulary

**Anarchism** • A political theory that holds that a political state and government is unnecessary and that society can be based on voluntary cooperation and free