

Sacco Trial and Legal Justice

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ABSTRACT

Sacco trial is a case about an Italian laborers and anarchists Nicola Sacco and Bartolomeo Vanzetti were charged of murder in Dedham, Massachusetts. The unfair trial process and the the jury's prejudice against immigrants caused this unjust case, and this has caused the whole world to pay attention to this case. Even though the Sacco case has passed so many years, but it still has a sort of references to the modern judicial system.

Keywords: *Sacco trial, Jury system, Unjust judge, Immigrant.*

1. INTRODUCTION

In the 1920s of America, fear of the red revolution and immigration were the main causes and historical background of the notorious Sacco Trial in American judicial history. After the judicial interpretation of the standards and basis of the trial, it is concluded that two Italian anarchists Nicola Sacco and Bartolomeo Vanzetti were unjustly sentenced. The subjective bias of the judge and jury due to their political beliefs and immigration status led to the final death penalty. The judicial justice and the problems of jury system reflected in this unjust case was worth to discuss and learn.

2. THE SACCO CASE

On Christmas Eve in 1919, there was a robbery and shooting case happened in Bridgewater, a small town in the south of Boston. Four gangsters shot at a factory's cash truck. Fortunately, there were no casualties and no loss of money. On 15th April, 1920, in an industrial town also in the south of Boston, South Braintree, a robbery and shooting case happened. Cashiers and security guards at a shoe factory were killed when they were attacked by two gunmen while carrying tens of thousands of dollars in wages. Witnesses in both cases said that the shooters were Italian. Taking into account the similarities in the modus operandi, tools and objectives of the two cases, the police decided to deal with these two cases together.

2.1. Caught and Trial

The police quickly targeted two men, Italian

immigrants, Nicola Sacco and Bartolomeo Vanzetti, and found guns on them. Besides the bullets used in Sacco's 32 pistols were as the same as those taken out of the dead. What's more unfortunately is that both men lied to the police to hide their identities as anarchist militants. Soon they were arrested as suspects. At that time, the congress of America passed a bill to expel anarchists because of the violence and unrest that broke out in various parts of the country. Sacco and Vanzetti naturally thought that the arrest was another "eviction" against anarchist militants, so they followed the police. But later they were told that they were accused of robbery and murder.

Sacco had a very strong alibi for the Bridgewater robbery case. In the trial, his white boss guaranteed that he was at work that time and said he is a reliable worker, and starts work at 7 a.m. every day until to the night when go off work. Besides taking sick leave or talking about his motherland, he has been making shoes all the time. However, Vanzetti was tried after prosecuted witnesses identified him as the robber at that night. In fact, many witnesses of the defense had appeared in the court to prove Vanzetti's innocence, but they are all Italians with poor English. They could not understand the questions raised by the prosecuted counsel, and the testimony could not be translated and trusted by the jury. Finally, Vanzetti was sentenced to 15 years in prison. Since he never had a criminal record, and the suspected case did not cause personal injury, his 15-year sentence was very severe.

In May 1921, the South Braintree robbery and murder case was officially started trial. It is worth mentioning that the twelve-member jury was full of

native white Americans, there was no one Italian descent. In terms of legal procedure, this is unfair to the defendant. After more than a month of hard trial, William Proctor, the most critical weapons identification expert appeared. If there were loopholes and inappropriateness in the testimony of both witnesses and making it difficult for the jury to decide, the expert appeared in court this time and played a very misleading role to the jury. When the prosecutor asked whether the fatal bullet in the body of the deceased was fired from Sacco's 32 pistol, Proctor replied that judging from the appearance, the lethal warhead is consistent with the one fired from the Sacco's gun. After all that, people know that the prosecution reached an agreement with Proctor before testifying, so he chose the misleading word "consistent with" to avoid the inadequacy of the evidence. Years later, Proctor admitted that if the judge bluntly asked me that if I could be sure that the bullet was fired from Sacco's pistol, and he would not hesitate to answer no. However, after nearly two months of tired hearings, 12 jury members were unable to identify the mysteries of the expert testimony and were misguided. In 1921, the jury sentenced Sacco and Vanzetti to death for first-degree murder and robbery. And they were executed on the electric chairs in 23rd August 1927.

2.2. The Late Truth

In 1959, the Massachusetts state came to the conclusion that the two executed people were innocent after listening to legal expert legislature. But it was until 23rd August 1977, exactly 50 years after the execution of the two men, that Massachusetts Governor Michael Dukakis rehabilitated them and declared that this day was named as Sacco and Vanzetti's Day. The trial of the case came to a real end here. And What the Massachusetts Governor Michael Dukakis said in the statement is thought-provoking: The trial of Sacco and Vanzetti is full of prejudice against foreigners with unorthodox political views, and any stigma or disgrace has nothing to do with them. I call on, all the people to reflect on their tragedies, learn from history, and stop letting narrow mindedness, fear and hatred prevail over rational thinking, wisdom and social justice, which is the direction of a legal country to fight.

3. BROKEN JUSTICE OF JUDICATURE

Since this Sacco trial case has passed so many years and all the evidences are hard to confirm whether it is true or false, there are still arguments about whether Sacco and Vanzetti were guilty. However, what we could make sure is that this case is not justice. Sacco and Vanzetti were not sent to the electrical chairs for their crime but were sent to the death for their identities of anarchist militants and nationality. This was absolutely unjust.

The most important value of judicature is to realize

and maintain the fairness and justice of the whole society. The concept of judicial justice can be analyzed from the following elements: the judicial system is reasonable, the judicial procedure is legitimate, the judicial conclusion is determined, the image of the judge is correct, and the judicial environment is good. Among them, the reasonable judicial system is the formal requirement of judicial justice, which is mainly manifested in the integrity of the judicial system, the independence of the judicial system, the perfection of the supervision and restriction mechanism of judicial power, and so on. The justice of judicial process is the embodiment of judicial justice in the process, which is mainly manifested by openness of procedure, neutrality of judges, participation of procedure, timely procedures; the results of the referee are implemented in a timely manner; The correct image of the judge is the requirement of the judicial justice in the subject, mainly through the judge's legal professional level, the professional ethics level carries on the inspection; the judicial environment is the external factor which realizes the judicial justice, mainly through the public legal consciousness, the letter and visit system carries on the appraisal. It is inseparable from the identification and supervision of the social subject.

In this Sacco trial case, the jury with final jurisdiction was formed unjust. As the suspects were all Italian immigrants, but the twelve members of jury were all white Americans. In that special background, American people were deterred by the panic of the red revolution, they must unconsciously be biased against anarchist militants and immigrants. In this way, No one's going to stay fair and try them from a purely legal point of view, let alone no one in jury could understand Italian words, so the testimony which could prove Vanzetti was innocent from those Italian witnesses could not be take credit and make sense. If the judicial procedure permit unjust trial mode, how can we reach judicial justice?

4. LESSONS FROM THE SACCO TRIAL

Even though the Sacco case has passed so many years, but it still has a sort of references to the modern judicial system. In the Sacco trial, there are two main reasons for undermining judicial justice. One is that the suspects are convicted without obtaining strong evidence to prove their guilt; the other is that the jury is biased towards immigrants and does not believe in witness testimony. These two points led to the tragic ending of two youths who died unjustly.

4.1. To Litigation Subject

To realize judicial justice, we must respect the subject status of the parties. Litigation is also a process of information exchange between parties in the horizontal direction. The legitimate activities of the

parties in the trial not only help to find out the facts of the case and apply the law correctly, but also enhance the persuasiveness of the judgment and achieve the effect of both winning and losing, and judicial justice can also be displayed in a tangible way. Of course, whether the parties can give full play to their positive role in the trial is closely related to the litigant status of the parties in the trial. If the subject status of the parties can be confirmed and respected, the positive role of the parties can be effectively played, which not only helps to promote the realization of judicial justice, but also enables the parties to witness the realization of judicial justice in the process of participation.

4.2. To Jury System

We can also find some problems of the jury system. Jury system refers to the system in which a specific number of citizens with the right to vote participate in deciding whether or not the suspect is charged and guilty. According to United States law, every adult American citizen has the obligation to serve as a juror. However, those who are under the age of 21, do not live in their native places, do not speak English and have hearing impairment, and have criminal record are not eligible to serve as jurors. In the course of a trial, the jury acts only as an audience. The lawyers of both sides should face the jury when they speak and argue, and the witnesses of both sides also take the jury as the main object when they state the facts of the case, and after the trial, the chief justice will give instructions to the jury, and then, the jurors were sent to the secret review room to comment on the facts of the case according to their life experience, simple non-standard and simple legal knowledge, as well as the evidence provided by the prosecution and defense, at last jurors will vote by ballot.

From the procedure of how does a jury work above, we will see that jurors have no ideas about law or law procedure, they trial the suspects only by their simple non-standard and simple legal knowledge. As the same as the jury in the Sacco trial case, they had a preconceived prejudice against the two anarchist militants, Italian immigrants Nicola Sacco and Bartolomeo Vanzetti. So the final trial result is fault and unjust. For the American jury system, which emphasizes the breadth of the composition, we can say that the jury is as difficult to control as a ship sailing into a storm, jury members may decide whether or not they are guilty or not on the basis of personal feelings or emotions rather than inner conviction. Prejudice, in particular, can affect the outcome of a case.

The jury system does have certain benefits. The people make a verdict of guilt and innocence, which can broadly represent public opinion, and it can also restrict judges from overpowering and prevent judges from corrupting. This is a typical case of people restricting

government powers from excessively large and avoiding government agencies from tyranny. However, after hundreds of years of development, the jury system has also exposed its various shortcomings. For example, the jury system is a one-way system that cannot be held accountable, its work efficiency is low, and the jury members do not have legal literacy. The basis of the ruling cannot guarantee fairness and so on. Actually, the jury system has a better solution, that is making the jury only advises on the facts of the case, and the final decision rested in the judge. This can not only provide the parties and the adjudication of the case with a more empathy, more in line with the general cognition of the society, but also ensure the judicial justice and the legal nature of the decision.

5. CONCLUSION

Although so many years has passed, the judicial shortcomings exposed in this Sacco trial was still exist. There are so many steps for us to realize the true legal justice, to build a society governed by the rule of law, we law men must adhere to the study of law, constantly improve the judicial system and spend our whole life to achieve judicial justice.

REFERENCES

- [1] Qijun Liu, Sacco trial and *Boston*: The U.S. judicial bias in the period of immigration and Red Panic in the early 20th century, *Journal of Shanghai University of International Business and Economics*, 2019,26(05):98-108.
- [2] Chen Wang, The connotation of judicial justice and the choice of its realization path, *Chinese Law*,2013(03):19-25.
- [3] Shengqiang Wei, How can judicial justice be visible: Thoughts on the trial methods in China, *Science of Law (Journal of Northwest University of Political Science and Law)*, 2013, 31(06):35-48.
- [4] Junjian Zhang, Research on the American jury system, Anhui University, 2014.
- [5] Ryan B, Sacco-Vanzetti Trial: 1921, *Great American Trials*, 2003.
- [6] Sacco N, Vanzetti B, 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, Paul P. Appel, 1969.
- [7] Flosser C, The Department of Justice and the Sacco-Vanzetti Case, *New Republic*, 1926.
- [8] Frankfurter F, Freund E, The Case of Sacco and Vanzetti, *Social Service Review*, 1927, 58:1061-1062.

- [9] Mitsuo Kato, Anarchist philosophy of Ba Jin and his interest in the case of Sacco and Vanzetti, *Mathesis universalis: bulletin of the Department of Interdisciplinary Studies*, 2018, 20.
- [10] Cottrol R. Postmortem, New Evidence in the Case of Sacco and Vanzetti by William Young, David E. Kaiser; Sacco and Vanzetti: The Case Resolved by Francis Russell, *Law & History Review*, 1991, 9(1):160-163.
- [11] Berwick H, Producing Anarchist Subjects: Emotion, Race, and Gender In the Case of Sacco and Vanzetti, 1917 —1927, *Dissertations & Theses - Grad works*, 2015.
- [12] Mayo M, The Transference and the Case of Sacco and Vanzetti, 2020.