

Michigan Law Review

Volume 47 | Issue 2

1948

Joughin and Morgan: THE LEGACY OF SACCO AND VANZETTI

Michigan Law Review

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Recommended Citation

Michigan Law Review, *Joughin and Morgan: THE LEGACY OF SACCO AND VANZETTI*, 47 MICH. L. REV. 289 (2022).

Available at: <https://repository.law.umich.edu/mlr/vol47/iss2/23>

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THE LEGACY OF SACCO AND VANZETTI. By *G. Louis Joughin* and *Edmund M. Morgan*. New York: Harcourt, Brace and Co. 1948. Pp. v, 598. \$6.

More than twenty years have passed since the trial and execution of the two Italian anarchists, Sacco and Vanzetti. Now that the controversy over whether they were guilty or innocent of the murder for which they were electrocuted has subsided, the authors attempt to evaluate the case in terms of its impact upon American law, society and literature. The painstaking research that went into the work is apparent in the scholarly documentation. Professor Edmund Morgan of Harvard Law School, well-known and respected as an expert on evidence, deals with the legal aspects. It is his belief that the trial was unfair although all the legal forms were observed, and that the resulting legacy to law and society was one of bitterness and doubt. To uphold his argument he presents the legal record in detail against its socio-historical background. The ineptness of the defense lawyers, hostility of the trial judge and the prevailing prejudice of the

jury made justice impossible in this case, according to Professor Morgan. His suggestions for remedying the defects in our legal system which make possible a case of this kind include rules by court or legislature providing for: a full disclosure to the defendant under proper safeguards of the State's case before trial; fairness in the presentation of the prosecution's case without appeal to passion or prejudice; impartial expert witnesses retained by the court; and a privilege of the accused to elect to be tried by a body of judges when local feeling is strong. Even if the reader upon his own appraisal of the record decides that the accused in this instance received a fair trial, he will agree with the authors that judicial processes do not take place in a social void and probably that there remain characteristics of the system which make conviction of the innocent easier than it should be. G. Louis Joughin, a thorough student of English and comparative literature and a member of the staff of the New School for Social Research, is responsible for the rest of the book. Reviewing the literature inspired by the case which is set forth at length, he finds that "It is certainly no worse than the average." However, Vanzetti's own words "more than anything else which has been written, justify the designation of the legacy to literature as one of faith." The analysis of the writings and utterances of the accused men is perhaps the most interesting feature of this part of the book which, appropriately, closes with this sentence written by Vanzetti a few hours before his death:

"What I wish more than all in this last hour of agony is that our case and our fate may be understood in their real being and serve as a tremendous lesson to the forces of freedom—so that our suffering and death will not have been in vain."