didn’t intend it to be biographical or political; it barely touches on the controversial issues of the times. But even a portrait painter or a profile snapper should avoid being so dazzled by his subject and his subject’s job that he sees every flaw as a virtue.

The same admiration is applied, rather inconsistently, to Mr. Kennedy’s preference for people who don’t drink and to his preference for daiquiris; to his blue-blooded tastes and scholarship and to his qualities that “appeal to the young marrieds in the suburban developments”; to his independence of his father and to his habit of telephoning his father from the White House a half-dozen times a day for his advice and reactions.

Is his mind too literal, and does he lack the capacity to generalize? This isn’t a weakness, Mr. Manchester says; it is a quality shared by Caesar and Napoleon. Is he reluctant to indulge in meditation? This means he is free of dogma. Does he occasionally lose his temper? He “knows precisely when to lose” it. Does he give “varying impressions” to the public? This isn’t political strategy; it illustrates “the complexity of the man. Really he is many men.”

That Vice President Nixon should have sent a gift to Senator Kennedy on the latter’s recovery from his serious back operation is not credited to Mr. Nixon’s courtesy or to political usage, but rather to Mr. Kennedy’s “curious way of involving people, including opponents, in his struggles.”

The steel price crisis provides Mr. Manchester with a glorious climax. He says of Mr. Kennedy’s impetuous display of force that it was “a revealing display of Himself. . . He had shown the mailed fist and then he had sheathed it in deepest velvet.”

A Kennedy friend went even farther: “There stood Jack the giant killer, almost making you believe that he had the touch of the supernatural on his shoulder.”

This unrestrained idolatry is not persuasive, no matter what one’s political views. Time has already begun to prove that killing the giants of private industry is not the wisest goal for a President. At one point Mr. Manchester tells the story of two motorists who, seeing the President on the White House lawn, turned to cheer him—and collided. It could be that Mr. Manchester was one of those motorists.

Reviewed by John T. McCutcheon, Jr.

A Question of Tragedy


A premeditated robbery-murder of two men was committed many years ago. Violent though the crime was, it was not then, nor is it now, an unusual occurrence. Another two men, anarchists and aliens in the country where the crime was committed, who denied guilt and persisted in that denial to the end, were suspected and, in accordance with the legal processes of the country, were tried for the crime and found guilty. In the course of both the pre-trial and trial procedures they were represented by a succession of counsel, all competent and some quite eminent. Extraordinarily large sums of money were made available for their defense and, in a myriad of protracted post-trial procedures in their behalf that few accused enjoy, they had the benefit of the maximum efforts of many legal luminaries of the first order. The post-judgment procedures included executive review
(of a kind, scope and detail unusual and beyond the requirements of law) of the case, designed to determine whether the accused had been afforded a fair trial. Their jury conviction and judge-imposed death sentence were not reversed or mitigated and some seven and one-half years after the crime and six years after the jury pronounced the guilty verdict, they were executed pursuant to the verdict of the jury and the judgment of the judge before whom they were prosecuted and defended in the manner prescribed by the law of the land where the crime was committed. Many deem it probable, and some feel certain, that the two men did not commit the crime of which they were charged, tried and convicted and that they would not have been convicted had they been natives of the country and possessed of conventional social and political convictions; and the execution was carried out in the midst of violent world-wide protest, some sincere and some as designing as the alleged class tyranny that was charged to be at the root of the prosecution.

In such a paragraph may, some day, be recited the history of the crime, conviction and execution that achieved world-wide notoriety as the Sacco-Vanzetti case; but that day is not yet. It still ranks as one of the great all-time legal cause célèbres (at least as measured by the volume of printed material devoted to it) although, as with many cause célèbres nominally classed as legal because they involve the invocation of legal process in a vital way, by far the greater part of the heat and volume of controversy has been neither legal nor rational but political, sociological and emotional both in motivation and objective. And, if those who feel that dissatisfaction with a legal result because it offends one's political convictions and social emotions and objectives justifies total massive effort to overturn the result (and such an effort necessarily involves much that is uncritical and irresponsible), they should at least be aware that they thereby afford an equally tenable basis to their opponents to sustain the results by the same methods. But such an awareness seems never to have existed in Sacco-Vanzetti partisans.

Thus, in the mass of words that have all but obliterated the facts of the crime itself, it is no easy task to delineate the proper issues for consideration should one recklessly venture, "Let's discuss the Sacco-Vanzetti case." In *Tragedy in Dedham* Francis Russell has rendered a considerable service in this respect while providing (as objectively as, perhaps, any one human can, especially one who confesses to approaching the matter predisposed to the view that Sacco and Vanzetti were innocent) the sociological and political background from which the crime and the case and its personnel and subsequent events cannot, historically (as yet, at least), be divorced. Mr. Russell also supplies a welcome volume of factual detail pertinent to the crime itself as well as to its aftermath.

Mr. Russell's review of the Sacco-Vanzetti case is unique in that he also provides a ballistics explication that has not heretofore been available, the kind of modern scientific evidence without which today no capital offense involving guns would be tried by any self-respecting counsel either for the prosecution or defense. Though one must be pardoned (or may he be?—and this question is implicit in much of the Sacco-Vanzetti literature) if he asks himself whether the ballistics evidence of forty-one years after the crime makes any real difference irrespective of whether it does or does not conclusively demonstrate that one, at least, of the murder bullets was or was not fired from the gun found on the person of one of the accused at the time of his arrest. If such irrefutable fact was not then known to the then investigators, pros-
ecutors, accused, defenders, jurors, and judge, is it not irrelevant to the validity, either legal or moral, of the verdict and judgment then rendered? And if the guilty verdict was not valid according to the evidence as then known, can it, by whatever means, be converted into a valid verdict forty-one years later?

It is suggested that the answer to this question is more important than a posterior resolution of the Sacco-Vanzetti case in terms of a re-determination today (however accurate it may be) of the facts as to their innocence or guilt. Hence, it is cause for disappointment that although Mr. Russell's volume impliedly raises the larger problem, it is not pursued. It is almost as though he were not consciously aware of it and it may be he is not, because it is one that is misconceived by most contemporary thinkers and writers, even those who offer themselves as experts in, and deal with, the law. If (as Mr. Russell seems to assume) the prime function of law is justice and the prime objective of each application of the police and judicial processes is to effect a just verdict and result, then one can plausibly pursue an undertaking of this kind. In this view although at the time a specific case was tried a verdict was (pursuant to the known or knowable pertinent factors) an unjust verdict yet if, subsequently (pursuant to a further review, and an explication not earlier possible, of all the pertinent factors), it be irrefutably demonstrated that the evidence does warrant the verdict and result that were rendered and did occur, the verdict and result are just (whether or not they were just earlier).

But what if the prime function of law and each application of police and judicial processes to breaches of it not be justice? What if the prime function of law is the maintenance of order, in a society, of a kind and at the level that accords with the declared consensus of that society (the basic connection with justice being that all corruptions and breakdowns of any governmental process are inimical to justice)? In that event it requires but little more than superficial reflection to realize that when the police and judicial processes are invoked each verdict must stand on its own as it was effected; it must be valid or invalid according to the pertinent known and admissible factors upon which the verdict is reached. To judge, forty-one years later, the validity or invalidity of a jury verdict, we must look at those factors only as they existed up to the time the period of the judicial process was exhausted and terminated. If, critically viewed in that light, the verdict was supportable by the admissible evidence, it was and still is a valid verdict (and was and still is just in the context of this view of the prime function of law); and this is, and can be, the only rational point of such a re-examination. If our conclusion be to the contrary, then the verdict was and still is invalid. And (if such be one's evaluation of the evidence), being a corruption or breakdown of a governmental process it was, or tended to, an injustice. But, it was "not just" for that reason, not because inherent justice in each verdict is the prime objective of the judicial process. Therefore, in the matter of the justice or injustice of what happened in the Dedham Court House some forty years ago, and as bearing upon his contrived tragedy, Mr. Russell's interesting and persuasive ballistics data, not adduced until 1961, are beside the point.

But the greater part of his book is far from being so, heavily weighted though it is with not unsympathetic detail of the endeavors of the partisans of Sacco and Vanzetti and with extensive and favorable vignettes and testimonials as to their characters. It takes Mr. Russell
466 pages to explain and marshal the factors that, in his view, are pertinent to evaluation of the Sacco-Vanzetti case and it would be a disservice both to Mr. Russell and his potential readers to attempt to condense this material into the compass of a review of his volume. It is appropriate, from many considerations, to treat Mr. Russell’s book as something of a mystery thriller, leaving undisclosed most of the inferences and conclusions to which the author would lead his readers. The Sacco-Vanzetti literature and source data appear to have been exhaustively examined and the material is interestingly and cogently organized and presented. Many (this reviewer among them) must earnestly wish that Tragedy in Dedham will prove to be the last publication on the Sacco-Vanzetti case and if one must read a book about it, Mr. Russell’s is probably as good as any and, per testimonials of reviewers professing great familiarity with the voluminous Sacco-Vanzetti literature, better than most.

If this is deemed a curious evaluation of Mr. Russell’s prodigious work, let us think about the implications of its title. The author catches the reader’s interest by promising him a classic Greek tragedy. But a substantial portion of the book is devoted to a description of the amazing, almost unbelievable, volume and intensity (and the curious nature and extent) of the human effort and ingenuity, and money, that were poured into a continuing effort of years to create the “image” (as the manipulation would now be characterized) of Sacco and Vanzetti as innocent martyrs of “class tyranny.” One (this reviewer, at least) cannot read this detail without feeling that what was so done was at least as irresponsible and ruthless as were the actions of the forces against which it was arrayed, even if the prejudice of those forces be accepted as proven. There was tragedy in Dedham and there was tragedy in South Braintree (where two men were ambushed and gunned to death); there was tragedy throughout Massachusetts, there was, and is, and very likely always will be, tragedy throughout the world, but the tragedy in Dedham was hardly the impersonal fateful tragedy that is in the tradition of the tragedy of the Greek gods. It was, all of it, as Mr. Russell himself helps us to see, the tragedy of the human condition, aggravated and made more intensive and extensive by the machinations of men, not the inexorable forces of fate.

Mr. Russell’s work has value, in an unintended way perhaps, in making this all too clear, but he supplies no suggestion (nothing new, at least) as to how, human nature and the structure of the universe being as we know it yesterday and today, the all-too-human Sacco-Vanzetti tragedy, and any and all others like it, might have been or may yet be averted or ameliorated. The basic reality of the tragedy of the human condition is that we appear to be no nearer to its solution than we were when the courtroom drama was enacted in Dedham over forty one years ago. Sincere men, laboring under whatever label, are still anguished by the problem, and are in as much disagreement as ever as to its answer. If Mr. Russell’s book demonstrates anything convincingly it is that the radical, revolutionary, reforming activists (well typified by Sacco-Vanzetti partisans) have not speeded or furthered, and they may well have but made more difficult, the resolution of the tragedy of the human condition. And they still have the advantage over those who believe their methods to be disastrously mistaken because their programs are based upon the policy of, “We must do something — anything — because man’s circumstances are so oppressive”; and mankind’s nature appears to impel him to action, even wrong action, in preference to the wiser pause, or even inac
tion or reaction, that some periods of his fumbling cosmic search require.

The activists (who are, as much as their philosophical opposites, in no substantial way agreed upon what is justice) berate the law and those who provide and uphold it for its failure always to serve up justice (as if it were a commonly well-known and always available commodity) whereas it is a first step toward justice to realize there is no one magic device or touchstone, be it called law or whatever, by which justice, in whatever guise its face may ultimately be revealed, may be apprehended and made beneficent for all of mankind. Which is the reason that is a questionable expenditure of time to read anything aimed at assaying, now, whether the society that was Massachusetts (and possibly, or possibly not, representative of the whole of our country) forty years ago was either mistaken, misguided or corrupt in application of its law and judicial processes in the trial of Sacco and Vanzetti. That hackneyed issue, almost always mistakenly approached and treated, is not among the most pressing problems of today. On the other hand, the many contemporary perversions of law and legal process are a matter of paramount importance to us today, but further rehashing of the Sacco-Vanzetti case is of little, if any, value in framing and resolving the vital issues involved in them.

There was tragedy in Dedham—and in South Braintree, an essential aspect of the matter too often overlooked—but the basic issue is as to its proper identification and its proper relation to the problems of today. In this, Mr. Russell’s book is of no real assistance.

Reviewed by DEAN TERRILL

A Man of his Civilization


JOHN DRYDEN was twenty-nine years old at the Restoration and he greeted it with the hopes of the young and ambitious. His brilliant and sad career thereafter is the subject of Mr. Ward’s biography. At first celebrated as England’s premier dramatist, Dryden was soon eclipsed by younger men like Wycherly and Etherege. He was the best poet of his day, and the one most subject to literary attack. In his middle life he was always without enough money to avoid begging through praise, and very much at odds with the really satanic politics of his time. Dryden, like Milton, had once wanted to write an epic both “great” and “English”: like Milton, he gave up this idea, for he came to understand that the subject—England under the Stuart kings—was too ironically confronted by historical reality to furnish the matter of eulogy. “The times of Virgil please me better” he said in abandoning his plan; it was a statement implying more than a literary judgment. The golden age he foresaw in his youth had become the time of his disillusion. He could not find an Augustus to admire—or to sustain him.

The usefulness of Mr. Ward’s book may be measured by its careful depiction of