

ATOMIC SHOW TRIAL

By Medford Evans



THE CLASSIC Communist show trial is that of Nikolai Bukharin in Moscow in 1938. Princeton Professor Robert C. Tucker, an authority in the field, has called it “the supreme production” of the Great Purge trials, those “basically one-man shows of which Stalin himself was organizer, chief producer, and stage manager.” In a show trial, says Professor Tucker, “the court proceedings become literally a dramatic performance in which not only the judge and the prosecutor but also the defendant or defendants play prearranged parts just as actors do on the stage. The crux of the show trial is the confession. The defendant plays the leading part by confessing in vivid detail to heinous crimes allegedly committed by himself and others as part of a great conspiracy.” As in other theatrical productions, the prepared script may be a mixture of fact and fiction. Professor Tucker quotes the Russian writer Ilya Ehrenburg: “I realized that people were being accused of crimes which they had not and could not have committed.” (See *The Great Purge Trial*, by Robert C. Tucker and Stephen F. Cohen, Grosset & Dunlap, 1965. Quotations here from the Socialist quarterly, *Dissent*, Spring 1965, pp. 253 ff.)

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“Q. What name did you use?”

“A. Harry Gold.

“Q. Now, what did you do on Sunday? That is, June 3, 1945?”

“A. On Sunday about 8:30 I went again to the High Street address. I was admitted, and I recall going up a very steep flight of steps, and I knocked on a door. It was opened by a young man of about 23 with dark hair. He was smiling. I said, ‘Mr. Greenglass?’ He answered in the affirmative. I said, ‘I came from Julius,’ and I showed him the piece of cardboard in my hand, the piece of cardboard that had been given me by Yakovlev in Volk’s Cafe [in New York]. He asked me to enter. I did. Greenglass went to a woman’s handbag and brought out from it a piece of a cardboard. We matched the two of them.

* * * *

“At this point after we had matched the two pieces of cardboard I introduced myself to Greenglass as Dave from Pittsburgh; that was all. Greenglass introduced me to the young woman who was there and said she was his wife Ruth. Mrs. Greenglass said that it was coincidence that my first name and the first name of her husband were the same.

“Greenglass then told me that my visit to him on this exact day was a bit of a surprise; he had not expected me right on that day, but that nevertheless he would have the material on the atom bomb ready for me that afternoon.

* * * *

“Q. Did you return to the home of the Greenglasses on the same day, Sunday, June 3, 1945?”

“A. Yes, I did . . . between 3 and 4 o’clock. . . . Mr. Greenglass gave me an envelope which he said contained the information for which I had come, the information on the atom bomb. I took the envelope. Mr. Greenglass told me that he expected to get a furlough sometime around Christmas, and that he

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would return to New York at that time. He told me that if I wished to get in touch with him then I could do so by calling his brother-in-law Julius, and he gave me the telephone number of Julius in New York City. . . . I told Greenglass that very likely I might be returning to Albuquerque in the early fall of 1945 and if I did so there was a possibility that I might stop in and see him. . . .

“The meeting took only about five minutes, possibly ten at the very most. . . . The three of us, Mr. Greenglass, Mrs. Greenglass and myself, left the Greenglass’s apartment and we walked along a slanting back street in Albuquerque, and there in front of a small building I left the Greenglasses.

“Q. And did you return to New York?

“A. Yes, I did.

“Q. Immediately?

“A. Yes, I did.

“Q. En route to New York did you at any time inspect the material which you had received from Greenglass?

“A. Yes, I did, on the train from Albuquerque to Chicago and somewhere in Kansas, I believe. I examined the material which Greenglass had given me. I just examined it very quickly. . . . I put it into an envelope, into a manila envelope, one of the kind with a brass clasp, and in another manila envelope I put the papers which Dr. Fuchs had given me. I labeled the two envelopes. On the one from Fuchs I wrote ‘Doctor.’ On the one from Greenglass I wrote ‘Other,’ o-t-h-e-r. . . . The material given me by Greenglass consisted of three or four handwritten pages plus a couple of sketches. The sketches had letters on them which were referred to in the text of the three or four handwritten pages. The sketches appeared to be for a device of some kind.

* * * *

“I arrived in New York on the 5th of June, 1945, in the evening. . . . On

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the same evening. . . . I met Yakovlev along Metropolitan Avenue, in Brooklyn, and somewhere, where Metropolitan Avenue runs into Queens. It was a very lonely place, particularly at the time of night when I met Yakovlev . . . about 10 o'clock at night. . . . This meeting had been arranged at Volks' Cafe on the last Saturday in May of 1945. . . . The meeting with Yakovlev lasted about a minute, that was all. . . . We met and Yakovlev wanted to know had I got information from the both of them and I said that I had. Then I gave Yakovlev the two manila envelopes, the one labeled 'Doctor,' which had the information I had received from Fuchs in Santa Fe; the one labeled 'Other,' which had the information I had received from David Greenglass in Albuquerque on the 3rd of June 1945.

“. . . My next meeting with Yakovlev was about two weeks later. . . . Yakovlev told me that the information which I had given him . . . had been sent immediately to the Soviet Union. He said that the information which I had received from Greenglass was extremely excellent and very valuable.”

The foregoing narrative is at once highly plausible at first blush, and inherently improbable on close analysis. We shall attempt the analysis below, raising questions which may never be settled finally, but which would certainly have produced a reasonable doubt in the minds of the jurors had Bloch raised them at the trial instead of, as he did, conceding material evidence to the prosecution and pointedly declining to cross-examine Gold.

But first to complete the log of the New York-New Mexico atomic-information shuttle:

5. *David's Second Furlough in New York*. In September 1945 David, with Ruth, went to New York for another furlough. It was on this occasion that he said he transferred the most spec-

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tacular piece of information—"a pretty good description of the atom bomb," he called it. Here is a portion of the trial transcript. Questioning is by U.S. Assistant Attorney Roy Cohn.

"Q. Did you draw up a sketch of the atom bomb itself?

"A. I did.

"Q. Did you prepare descriptive material to explain the sketch of the atom bomb?

"A. I did.

"Q. Was there any other material that you wrote up on that occasion?

"A. I gave some scientists' names, and I also gave some possible recruits for espionage.

"Q. Now, about how many pages would you say it took to write down all these matters?

"A. I would say about 12 pages or so.

* * * *

"Q. Have you prepared for us, Mr. Greenglass, a replica of the sketch—I believe it is a cross-section sketch of the atom bomb—a replica of the sketch you gave to Rosenberg on that day?

"A. I did.

"Q. I show you Government's Exhibit 8 for identification, Mr. Greenglass, and ask you to examine it and tell us whether or not that is a replica of the sketch, cross-section of the atomic bomb?

"A. It is.

"Q. And how does that compare to the sketch you gave to Rosenberg in September 1945?

"A. About the same thing. Maybe a little difference in size; that is all.

* * * *

"Q. By the way, who was present when you handed the written material including this sketch over to Rosenberg?

"A. My wife, my sister, Julius and myself.

"Q. By your sister you mean Mrs. Rosenberg?

"A. That is right."

On the premise that the foregoing is

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a true account, the jury convicted Julius and Ethel Rosenberg of capital espionage, and Judge Kaufman sentenced them to die. The other half of the four-some—the two who certainly did something of this sort, whether just as they told it or not—fared far otherwise. David Greenglass got fifteen years, a lenient sentence, in return for turning state's evidence. Ruth Greenglass, who testified to the same effect as her husband, has never been indicted. Such was the extraordinary disparity of retribution in this extraordinary case. And here is the turn of the screw: We know now that David is a liar. Which suggests the possibility that Julius and Ethel, who categorically denied David's story as it applied to them, may have been telling the truth.

But be the guilt or innocence of the Rosenbergs what it may, nothing can rationalize the conduct of the court in the handling of Government Exhibit 8, the sketch of the atomic bomb which David swore was a replica of the one he had given Julius. The Judge—because of the extreme secrecy surrounding the sketch—ordered all spectators from the courtroom. He did this twice. When discussion of Greenglass's sketch came up, Judge Kaufman cleared the courtroom—*except the press!*

Two hundred spectators must see no A-bomb, hear of no A-bomb, speak of no A-bomb. But the *New York Times* and *Time* and the *Associated Press*, and other organs with combined circulation of many millions could see, write and publish what they would! One of the attorneys present did question this. "My position is," he said, "that I think the press ought to be excluded . . . otherwise I believe the purpose would be defeated, unless the press be enjoined to secrecy."

To which Judge Kaufman replied with a dictum which must forever impenetrably obscure just what the purpose was: "No, they won't be enjoined

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to secrecy. They will be enjoined to good taste.”

The *New York Times* published Greenglass's description of the sketch the next day, March 13, 1951. *Time*, *Life*, the *Scientific American*, and others followed suit. More than fifteen years later, in August 1966, the sketch was officially released—in circumstances that are still controversial. But at least when the *New York Times* on August 5, 1966 published what it outlined as “Alleged A-Bomb Sketch Figuring in Rosenberg Case,” it had an explicit judicial ruling for authority. And the sketch had cooled off somewhat in fifteen years. To be sure, it had cooled off somewhat between September 1945 and April 1951, too, but if enough to justify leaving the press at the mercy of its own “taste,” then why make spectators leave the courtroom?

There is more to this chronicle of lunacy. The attorney who implored the Court to maintain secrecy was Emmanuel Bloch! It was Bloch who in the first place, as soon as Roy Cohn offered in evidence the alleged sketch of the atom bomb, asked Judge Kaufman “to impound this exhibit so that it remains secret to the Court, the jury and counsel.” Prosecutor Saypol appeared startled—as when you lift something which turns out to be much lighter than you had expected. “That,” said Saypol, “is a rather strange request coming from the defendants.” In a colloquy at the bench, out of hearing of the jury, Bloch elaborated:

“Let me say by way of explanation, Mr. Saypol, that despite the fact that the Atomic Energy Commission may have declassified this, I was not at all sure in my own mind, and I am talking privately, whether or not even at this late date, this information may not be used to the advantage of a foreign power.”

Saypol explained for his part: “I had assumed—I was on the horns of a

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dilemma. We thought this out very carefully in preparation . . . together with the representatives of the Atomic Energy Commission . . . and the ultimate resolution was that it was left in my discretion how much of this material should be disclosed, on the premise that the primary obligation in the administration of justice was that the defendants were entitled to be apprised of the nature of the case against them."

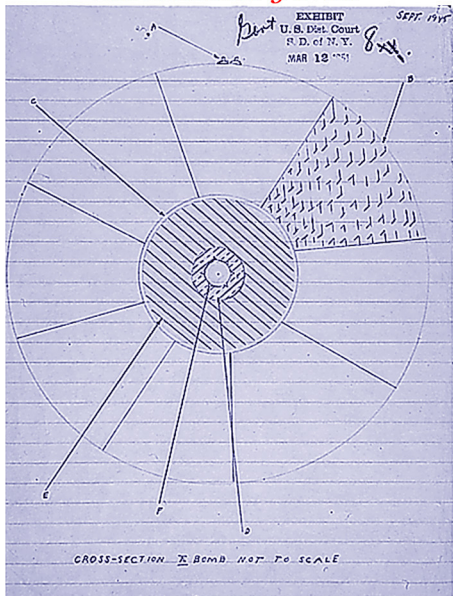
Attorneys for Morton Sobell, the Rosenbergs' fellow defendant, apparently understood what was expected of legal adversaries. Unlike Bloch, they did not want to give Saypol anything. Harold M. Phillips said: "I do not feel that an attorney for a defendant in a criminal case should make concessions which will serve the [prosecution] from the necessity of proving things which in the course of the proof we may be able to refute."

Yet after a bit of complex lawyer haggling, it turned out that Sobell's attorneys had no objection to the clearing of the courtroom, though they would not stipulate that the sketch itself "was secret and confidential matter and pertaining to the national defense." That, they held, would have to be proved. For the Rosenbergs, however, the two Blochs (Emmanuel's father, Alexander Bloch, was associated with him in the case) were "willing to stipulate."

Judge Kaufman ruled, as we have seen, that the conflicting claims of national security and personal justice would be met by having the evidence presented before the jury and other participants in the trial, but that the public would be excluded—*except the press!* After presentation, the sketch and the descriptive information relating to it would be impounded and kept secret—except for whatever the *New York Times* and other news agencies might choose to publish!

Probably no other procedure could

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The Greenglass "A-bomb sketch."

have combined so much damage to both security and the Rosenbergs as this attempt to carry water in a sieve. Secrecy of the information was hopelessly compromised, and at the same time the affectation—most dramatically by Bloch—of concern for such secrecy guaranteed that the jury would attach maximum importance to Government Exhibit 8. The psychological effect could only have been overwhelming that here indeed was *The Secret*, which Greenglass gave the Rosenbergs and the Rosenbergs gave the Russians. That such an experienced advocate as Emmanuel Bloch should have contributed to such a psychological effect is only less astonishing than that he should, somewhat later in the trial, decline to cross-examine Harry Gold.

It may be argued in Bloch's behalf that he was conducting a grandstand play as defender of American atomic secrets, with the hope that some of the patriotic piety would rub off on his clients. The fact remains that the prosecution wanted to establish the authenticity of the sketch, and nothing did

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that better than Bloch's suggestion that the document be impounded—that and the ensuing charade in which Judge Kaufman cleared the courtroom—except for the press! If the court and the defense had been in collusion with the prosecution *à la* Moscow, they could not more effectively have lightened the burden of proof.

There were other trips between New York and Albuquerque. While the Greenglasses were in New York, Harry Gold went again to New Mexico, he said, to get additional information from Klaus Fuchs, whom he met on the outskirts of Santa Fe, September nineteenth. From this rendezvous, Gold went on to Albuquerque, where he spent the night, got up early the next morning and caught a plane headed back east, going as far as Kansas City before being “bumped” and having to continue by railroad coach to Chicago, then Pullman to New York. Details of Gold's travels are important, as we shall see later.

At the end of September the Greenglasses returned to New Mexico, where they remained till February 1946, when David was discharged from the Army and they went back to New York to stay.

David began civilian life with an aura. He was a machinist from the shop where the atom bomb was made! Not that anyone in ordinary civilian life knew how an atom bomb was made. Most people were not clear in their minds that the “fissionable material” which made the bomb “atomic” is a metal, or metals, which can be worked in a machine shop. Nor did many realize then that this metal, like others, leaves dust, chips, scrap—harmless, in small pieces, small quantities—which a machinist of all people might pilfer.

Lots of soldiers took souvenirs in World War II. Nobody thinks too much of it if a worker takes waste

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materials from a plant or shop. Only, there are just not many shops where the waste material is uranium 235 and plutonium—the “makings” of the atom bomb.

People didn't know this sort of thing — still don't for the most part.

David went into business with his brother Bernard, his brother-in-law Julius, and a man named Goldstein. There were a couple of reorganizations, and Goldstein was replaced by one David Schein, who put up \$15,000, for which he received preferred stock. From October 1947 the firm was known as Pitt Machine Products Co. David put in the least money, but all had the same number of shares of common stock. Julius was President, David Vice President, Bernard Secretary, and Schein Treasurer. Bernard had borrowed \$5,000 from various members of his own family and put it in the firm. David and Julius assumed part of this debt. Poverty and affluence are relative terms, but these were not derelict or destitute people.

They were, it appears, somewhat contentious. David and Julius snapped at each other. David, who was younger and bigger, once threatened to sock Julius, but didn't actually do it. It isn't too clear just what Pitt Machine Products produced. There were customers. David and Bernard worked in the machine shop. There was some dealing in war surplus stuff. In August 1949, a month before the “Russian bomb” was announced, David got out of the partnership. He got a job in the model shop, research and development, of the Arma Engineering Corporation. He was working there, on the night shift, when he was arrested June 15, 1950.

He had been first visited by agents of the F.B.I. in February 1950. It seems that they wanted to know then whether he had taken any uranium away from Los Alamos. As a matter of fact, it appears that he had, but of course he was



The Rosenbergs by Picasso

Show trials may exist in varying degrees of purity. Any collusion between ostensible adversaries, or between an interested party and the judge, introduces an element of pretense. Anything intended primarily to impress the spectators or the public at large tends to turn the courtroom into a theatre. Thus elements of the show trial may not infrequently be found in American courts. The critical difference between an essentially fair trial and a juridical comedy or tragedy is the presence or absence of a genuine clash between prosecution and defense, and—it should go without saying—of sincere impartiality in judge and jury. The essence of the show trial is that it is a production under unified direction. Professor Tucker says, "The crux of the show trial is the confession," but this is true only if the defendant is independently able to resist his accusers. If his defense is entrusted to counsel, and defense counsel is privately at one with the prosecution, then it hardly matters whether the defendant confesses or not, the trial is through lack of real contest a sham.

The jury system makes it difficult to conduct a perfect show trial in Anglo-Saxon countries. While it may be fairly easy to fix a jury so as to block a conviction—one or two stubborn hold-outs will suffice—it is hard to fix one so as to guarantee a conviction, since to that end all twelve must agree. Again, however, if prosecution and defense are in cahoots, they can almost certainly manage—by letting the jury hear all the

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not such a fool as to admit it to the F.B.I. Not in February, anyhow. It is not clear how much discussion there was about stolen material after his arrest four months later. The subject hardly came up in the trial. Only Julius mentioned it. He said David had told him "what happened to him in February when the F.B.I. had come around to visit him and question him about some uranium." Oddly—very oddly, I should say—neither the prosecution nor the defense followed this up at all.

A few weeks before the Rosenbergs were executed, their defense began to speak of the stolen uranium. Bernard Greenglass, David's brother, made a sworn statement that David had told him in 1946 about having taken uranium from Los Alamos "without permission of the authorities." Later, David told Bernard (said Bernard) that he had thrown the metal in the East River.

Defenders of the Rosenbergs, before and after their deaths, have used this episode of the uranium theft, when they have used it, to argue that here was a crime which David committed simply on his own—a lesser crime than systematic espionage. He accused Julius of the latter to divert attention from his own guilt in the former. I agree that there has been a so-far largely successful effort to divert attention from uranium theft, but I do not agree that such theft is less serious than theft of information, or that it has been limited to "loners" in crime. If David stole one sample of uranium as a souvenir and threw it in the river, then he had little to fear. What could be proved? But if he was involved in systematic transfers of uranium from American to Soviet possession, with the Pitt Machine Products Co. as a cover shop, then much more than his own safety depended on shifting attention as quickly as possible away from materials to information. The public had been rather expecting someone to give the Russians the "se-

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cret of the A-bomb," but was quite unprepared to hear that an apparatus was smuggling to the Russians actual hardware, including quantities of bomb metal, or metals — uranium 235 and plutonium. My own opinion is that one of the major purposes of the Rosenberg show trial was to divert attention from the diversion of nuclear materials.

Perhaps when F.B.I. agents got onto Greenglass about stealing uranium, they were close to blowing something open that the Government as a whole was not ready to handle. It would not be just Communists in Government who would be less than anxious to expose systematic sub rosa atomic lend-lease to Russia. The watchman and the thief may not be in cahoots to start with. But if the thief succeeds in part through the watchman's negligence, then the two will develop an objective common interest in attracting as little attention to the whole affair as possible.

In the field of atomic security there has from the start been too exclusive an interest in information, at the expense of attention to materials. Some of the results of this misplaced emphasis are beginning to appear. The *New York Times* of September 18, 1966 carried a rather long story by John W. Finney, beginning: "The Atomic Energy Commission recently discovered that one of its industrial contractors had lost more than 100 kilograms of highly enriched uranium—enough to fabricate six atomic bombs."

The story explains how the loss could have happened: "The lost uranium, however, was not all together or even in substantial pieces. Rather it has been scattered to the winds. Some of it had been lost as scrap during the machine tooling and been swept up and buried; some of it disappeared as dust that was caught on filters, and some presumably had been washed down drains and carried away to the sea. According to A.E.C. officials, the loss was not an

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isolated case. There have been other instances where companies have lost significant percentages of uranium.”

Some writers have made much of the fact that Greenglass was not a scientist—just a machinist—and could not have understood the nuclear physics involved in the atom bomb or the production of fissionable materials. No, but a machinist could understand well enough what to do with bits of scrap metal of a kind for which the price on the black market might be bid up to half a world.

“It is now realized,” writes Timesman Finney, “that the Government must move from the concept of financial accountability to one of safeguards against diversion.”

It did not take everybody quite so long to realize this. There was, for example, a book called *The Secret War for the A-Bomb*, published in October 1953, some thirteen years ago. The author thought it was pretty late then. Of course, David Greenglass could have realized the potential of materials diversion eight or nine years sooner than that. He would not have had to figure it out for himself. There would have been Juliuses to explain it to him.

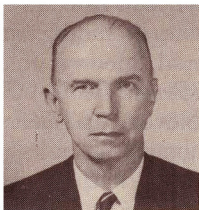
Revisionist speculation of this sort is idle—or vicious—unless there is reason to reject previously accepted history. Very cogent reasons exist to doubt the orthodox version of the Rosenberg case. Perhaps the most pointed of these reasons is the thoroughly unbelievable character of prosecution witnesses David Greenglass and Harry Gold. I have said above that Gold is a pathological liar, that Greenglass is pathological and a liar. In the next installment I will prove it. [TO BE CONTINUED] ■ ■

AMERICAN OPINION

December, 1966: p. 73

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JANUARY, 1967: p. 81

HARRY GOLD SAID HE CAME FROM JULIUS

By Medford Evans



THE ROSENBERGS are dead. The Rosenberg case is very much alive. It is written about in the pages of the *New York Times*, the *Scientific American*, *National Review*, *Commentary* — all of which are barometric publications. Only this past August attorneys for Morton Sobell — who is serving a thirty-year term for his part in the Rosenberg conspiracy — forced the federal govern-

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ment to release a drawing of the Nagasaki bomb which David Greenglass had testified was a facsimile of one he had given Julius Rosenberg in September 1945. When the sketch was introduced as evidence at the trial in March 1951, the Rosenbergs' lawyer, Emmanuel H. Bloch, moved to have it impounded and kept secret in the interest of national security. Like much else in Bloch's conduct of the case, this surprise defense motion was very helpful to the prosecution. Sobell's lawyers, whose Communist associations parallel Bloch's own, now say it is a great victory they have won in undoing the work of their deceased ideological comrade. Of course the "victory," whether it does or does not help Sobell get a retrial, is fifteen years too late to help the Rosenbergs.

So are all the other current efforts of Arthur Kinoy, William Kunstler, and the other Sobell lawyers, who are supported by such scientists as Young Communist League alumnus Professor Philip Morrison of M.I.T., concerning whom the following exchange took place between Roger Robb and Julius Robert Oppenheimer in the famous Hearings in 1954:

Q. Did you read Dr. Morrison's testimony before the Senate Committee . . . ?

A. . . . I know the substance of it.

Q. You know that he testified that he had been a member of the Communist Party.

A. Right.

Q. That didn't surprise you?

A. No.

(Oppenheimer Hearings, pp. 225-6.)

Ever since it was too late to save the Rosenbergs, the Communists have labored assiduously to discredit the Rosenberg trial, branding it as a political show trial produced as part of the Cold

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Soviet Union) they can now, like a prostitute that cries rape, make a very plausible case that the United States was indeed guilty of improper conduct.

A plausible case has been made in the book *Invitation to an Inquest* (Doubleday, 1965) by Walter Schneir (*Nation* and *Reporter* contributor) and his wife Miriam. The Schneirs quite successfully, I should say, discredit the testimony of key prosecution witness Harry Gold—a job Emmanuel Bloch could have done at the trial had he been so minded. Instead he not only declined to cross-examine Gold, but in his summation told the jury: “I didn’t ask him one question because there is no doubt in my mind that he impressed you as well as impressed everybody that he was telling the absolute truth, the absolute truth.” (Printed trial transcript, Page 1479.) *Invitation to an Inquest* is thoroughly convincing that (1) Gold was a fantastic liar, (2) that proof that he was such a liar was in the legal record available to Bloch, (3) that Gold’s testimony was essential to the prosecution’s case. The Schneirs write:

The importance of Gold’s role can hardly be overemphasized. In addition to his corroboration of the Greenglasses, he provided the only link between Julius Rosenberg and a Soviet agent. . . . Without Harry Gold’s testimony there is simply no conspiracy case. (Page 160.)

The current efforts of Kunstler and Kinoy in behalf of Sobell, obviously based in the main on the researches of the Schneirs, aim not at particular exculpation of Sobell, but at rescinding the record of the entire Rosenberg trial, in which Sobell also was a defendant—except, of course, that no one can rescind the electrocution of Julius and Ethel on June 19, 1953.

I am indebted to *Invitation to an In-*

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quest. It contains an abundance of significant information. The Schneirs are not indebted to me, for they published first, though I have been studying the case longer (they say they began in 1959). We arrived independently at the conclusion that Harry Gold is an incredible witness, and that this in itself destroys the prosecution's case. There is no extraordinary coincidence here, for I should think anyone who studied the case protractedly would arrive at the same conclusion.

The Schneirs themselves appear to me quite credulous on several important matters, possibly because of a certain Leftward orientation. For example, they accept conventional propaganda about Soviet capability in atomic energy and space, and they never question the good faith of Emmanuel Bloch. Also, like everyone else so far, they pay scant attention to the role of O. John Rogge, which in fact may have been crucial.

The Rosenbergs were, one might say, incidental to the Rosenberg case. The issue which their deaths served to dramatize, and obscure, is still unresolved. Julius and Ethel Rosenberg were executed on conviction — still disputed by their fellow Communists and a few others — of having given the atomic bomb to the Russians. A more vital issue is whether the Russians in fact *have* the atomic bomb.

But the most vital issue — far from dead itself — is whether, in any meaningful way, the United States has the bomb.

I

IT WAS DREW PEARSON who broke the first of the major atom-spy stories. On February 3, 1946 the reportmonger revealed the existence of the Canadian case, which had been kept secret for five months. The Russian Igor Gouzenko, a code clerk in the Soviet Embassy in Ottawa, had in September 1945 walked out with a batch of secret documents

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after several narrow escapes from danger due to Free World apathy and Soviet Secret Police vigilance (offset eventually by stupid brutality on the part of the Soviets and noble generosity deep in the hearts of the Westerners), gained the protection and ear of the Canadian Government. A Royal Commission, appointed in February, issued a Report in June, 1946. Later, Gouzenko—who, of course, had henceforth to live under an altered identity—was interviewed by Drew Pearson on U.S. television, under his own name but with a hooded mask over his head and face. Since Pearson knew who he was, it is not clear why Gouzenko cared who knew.

The most important of the atom spies uncovered by Gouzenko was the British nuclear physicist Allan Nunn May, who had worked on the Canadian atomic project during the war and had visited the vital U.S. "Met Lab" (atomic laboratory) in Chicago. In London in February 1946 May confessed that he had given information and materials to an individual whom he refused to name. In court May 1, 1946, Allan Nunn May pleaded guilty and was sentenced to ten years. Though the documents turned over to Canada by Gouzenko gave the British the lead to interrogate May, they had been unable to arrest him until he had confessed, and no evidence was presented in court against him except his own confession. Of the official prosecution the brilliant Englishwoman Rebecca West has written, "The Attorney-General, Sir Hartley Shawcross, showed that he was heavy-hearted under the necessity of making the prosecuting speech, and he waited for the sentence with an apprehension rarely shown even by a defending counsel." (*The New Meaning of Treason*, Viking, 1964. Page 157.) May showed remarkable determination; he resisted all attempts to get from him information about others, but in effect insisted on having himself

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put in prison for having revealed atomic secrets.

Four years later the confession and arrest were announced of another nuclear physicist who was also a British subject, though German-born, who also had worked on the atomic project in North America—in the most dramatic center of all, “Site Y,” at Los Alamos, near Santa Fe, New Mexico. Dr. Klaus Fuchs is, by common consent, the key figure in the known story of atomic espionage. There is, however, no common consent at all as to the meaning of his actions—why he did what he did or what were the significant results. Far more clearly, even, than Allan Nunn May, *he turned himself in*. Though it is widely asserted that the F.B.I. gave British authorities a lead, the latter have declared that they had no reason even to question Fuchs until, in October 1949, he of his own volition approached Wing Commander Henry Arnold, Security Officer at Harwell, the British atomic research center, to confide that he had a problem—that his father, Dr. Emil Fuchs, was planning to go into the Soviet Zone of Germany, and that he himself in his youth in Germany had had certain Communist associations. As the Schneirs observe, “The scientist’s motives for approaching Arnold on this matter were obscure.”

To probe the matter further, Scotland Yard assigned the investigator William J. Skardon, to whom on January 27, 1950 Fuchs dictated a confession. Three days later he continued his confession, this time giving technical information to one Michael Perrin, who was qualified to understand it. Only *after* his confession was Fuchs arrested. Skardon testified at the trial that until Fuchs made his voluntary statement of January twenty-seventh there was no evidence upon which he could have been prosecuted. He was arrested in London

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testimony that fits, but little else—to achieve the predetermined denouement of the drama. Even the judge, however honest and legally more sophisticated than the jury he may be, may be irresistibly led by a concerted program of prosecution and defense to an inescapable conclusion. Finally, a concert of prosecution and defense may be achieved by either side alone if counsel for any reason desires his adversary to win, provided only that both sides do not simultaneously decide upon such betrayal.

That the Rosenberg atom spy trial was essentially a show trial is evident on many counts, most decisively on the ground that defense counsel Emmanuel H. Bloch committed too many “blunders” too gross to be really blunders, and that he was too closely associated with O. John Rogge, attorney for David and Ruth Greenglass, whose confessions and testimony in court, being accepted as true, made conviction if not the death sentence inevitable for the Rosenbergs.

Before proceeding with an admittedly novel interpretation of the Rosenberg case, it may be well to give a resume of certain generally accepted facts. In the trial in U.S. District Court in New York in March 1951 the Government, represented by Prosecutor Irving H. Saypol, charged that Julius and Ethel Rosenberg “conspired with others to commit espionage . . . with the intent that the information . . . should be used by the Soviet Union to its advantage.” The “others” included David and Ruth Greenglass, Harry Gold, and a Russian named Anatoli A. Yakovlev, also called “John,” who had left the United States before the conspiracy was discovered. Also charged and tried along with the Rosenbergs as a conspirator was one Morton Sobell, but he was not shown, or specifically alleged, to have been involved in *atomic* espionage, and on this ground was given a lighter sentence—

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February 2, 1950. The news broke in the morning papers of Friday, February third.

More has been written about Fuchs than about all the other atom spies put together. More has been written about the Rosenberg *case* than about the Fuchs case, but actually very little has been written about the Rosenbergs themselves. The character of Fuchs has been analyzed by innumerable authors, most notably Rebecca West, Alan Moorehead, and Klaus Fuchs himself in the non-technical published portion of his confession, which popularized the paradoxical expression: "controlled schizophrenia." None of these analyses have dispelled, and collectively they have probably increased, the air of mystery surrounding the man who, according to Doctor Oppenheimer, was probably as near the center of things as anybody you could pinpoint.

Fuchs offered no defense at his trial. His father was quoted as saying that there were things in the confession that were simply impossible, and that he would like to testify in his son's defense. He did not, however, appear. There were no defense witnesses. Fuchs was taken at his word that he had delivered to one Soviet agent in America and to several in England a cumulatively massive volume of the most highly secret scientific and technical information concerning the atomic bomb. He was sentenced to fourteen years in prison, the maximum sentence permitted under British law in time of peace. He served approximately nine and a half years, receiving the full allowance for good behavior (in spite of organizing a nuclear-test-ban demonstration in Brixton Prison) and was released on June 24, 1959. Immediately he boarded a Polish airliner and was flown to the Soviet Zone of Germany, where he was promptly (1) given "East" German citizenship, (2) made Deputy Director of the atomic

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energy center near Dresden, (3) married to Greta Keilson, widow of a former high official in the Soviet German Government.

In February 1960, ten years after his self-arranged arraignment in London, he gave an interview to one Flora Lewis, who wrote it up for the *New York Times*. It seems worth direct quotation in part:

Dresden, Germany, Feb. 17 — Dr. Klaus Fuchs, who spent ten years in British prison for having given Western atomic secrets to the Soviet Union, said here today that looking back, he would do it again. . . .

The tall lanky physicist said he had never considered remaining in the West because "it would have been impossible there to continue my scientific work and to express my political views."

The interview took place in the sitting room of his handsome villa in a Dresden hillside suburb. . . .

He pondered a bit at the question of whether he would repeat his acts of espionage if he had a second chance. "It's hard to say," he said at first. But then, looking wide-eyed through his thin, rimless spectacles, he went on:

"The Soviet Union is on the right line. It is for peace. Whatever helps the Soviet Union is right."

Dr. Fuchs, who wore the button of the East German Socialist Unity (Communist) party in his lapel, said he had joined the Communists in 1932 out of disappointment with the German Social Democrats' failure to oppose Hitler's rise. He never left the party, although, he said, "I lost contact during the war." (New York Times, February 28, 1960, Page 28.)

No regrets. Whatever helps the Soviet Union is right: Then his confession

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of January 1950 helped the Soviet Union!

Of course it must have done so in the judgment of his superiors in the Communist Conspiracy. It must have been *ordered by them*. No disciplined Communist could simply on his own individual judgment take so serious a step as Fuchs took in approaching Security Officer Arnold and in due course confessing to Scotland Yard investigator Skardon. To do so would be at best "adventurism" and at worst precisely the defection to the bourgeois imperialists which the bourgeois imperialists in fact thought it was—until Fuchs flew to the Soviet Sector of Berlin and rode away in a Zis limousine on June 24, 1959.

Had Fuchs' confession to Skardon constituted even a temporary defection from complete loyalty to the Communist dictatorship, he would not now be living in a handsome villa near Dresden with a Party button in his lapel. He would have been hunted down like a dog and stomped to death. Or perhaps he would have had the honor of a pickaxe between the eyes, like Trotsky. Most probably, in any event, the N.K.V.D. signature would have been added, or it might have by itself sufficed—the automatic pistol bullet in the base of the brain.

Fuchs' conduct has been regarded as mysterious, but the mystery disappears if one simple assumption is made: that the Communists *wanted* the world in general and America in particular to believe that a qualified spy had given the Russians the A-bomb, so that the world in general and America in particular would believe that the Russians *had* the A-bomb—which belief was essential if the Soviet Union was to negotiate as an equal in international prestige with the United States. President Truman's announcement of September 23, 1949 that an atomic explosion had occurred in Soviet Russia had al-

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most, but not quite conclusively, done the trick. There were still, at the highest levels in the U.S. Government, skeptics regarding the Russian atomic achievement. After Fuchs' confession no more voices of skepticism were heard.

Klaus Fuchs did something no one else had been able to do: *He established the atomic credit of the Soviet Union.* No wonder he now has a handsome villa near Dresden!

II

HE DID NOT—could not, of course—do it alone. His confession was the critical point in a crystallization of public belief that the Russians, too, had the bomb, but the myth of Soviet might was to be intricately elaborated before settling as the matrix of popular thought about a “nuclear stalemate,” about “two scorpions in a bottle.” Within four months of Doctor Fuchs' confession an accomplice appeared—his American spy courier, the Philadelphia chemist Harry Gold.

Like Fuchs and May, Gold willingly incriminated himself. David Greenglass, to whom the spoor led next, was to do the same. What we know of Soviet atomic espionage we know almost exclusively from voluntary confessions of Soviet agents. Drew Pearson's protege, Igor Gouzenko, had virtually to force himself upon the Canadian authorities. He might have failed had not the N.K.V.D. through apparent clumsiness attracted the attention and provoked the intervention of the Ottawa police. Gouzenko's book *The Iron Curtain* (E. P. Dutton, 1948) concludes: “Ironically enough, Vitali G. Pavlov, officially the Second Secretary of the U.S.S.R. Embassy, and unofficially chief of the secret N.K.V.D. police in Canada, emerges in my mental panoramic view of the drama as the immediate person responsible for smashing the powerful and threatening Soviet espionage ring leading to the atomic bomb secrets. In the mysterious way small happenings so

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often lead to big happenings, influencing the lives of individuals and nations, it was Pavlov's jimmying open of my apartment door that convinced the authorities Igo Gouzenko really had a story to tell." (Page 279.) But perhaps it was not so ironic. Gouzenko himself was a thoroughly trained and trusted intelligence officer of the Red Army. Is it unreasonable to suspect that what we know, or believe, about atom spies is what the Communist Conspiracy wants us to know, or believe?

Harry Gold says that he is not and never has been a Communist. But he admits — more precisely, he repeatedly insists — that as a Soviet agent in the United States he took all his instructions from Communists. He says he lived a life of elaborate deception for sixteen years. When he confessed to the F.B.I. on May 22, 1950, "Yes, I am the man to whom Klaus Fuchs gave the information on atomic energy," he could as easily have continued the deception and made no such admission. Gold is, by any interpretation of the record, one of the most fantastic liars in history. Yet nothing he has told strains credulity more than simply his confession—or boast—that he was the American confederate of Klaus Fuchs. Unless it be the assumption that after sixteen years of successful espionage he suddenly cracked up over a souvenir map of Santa Fe in his room, and was from then on a truthful American patriot.

Without Gold's confession—or boast—that he was Fuchs' Soviet contact in America, the Rosenberg case would not exist. The Rosenbergs, presumably, would. Without Fuchs' previous confession there would have been nothing to which Gold could have related himself. Without the confessions of David and Ruth Greenglass which were to follow Gold's, his testimony, though necessary, would have been insufficient to convict the Rosenbergs. All these voluntary

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confessions were necessary links in the chain of evidence which decorated the show trial of the Rosenbergs, who steadfastly denied their guilt.

Why did the Rosenbergs have to be convicted anyhow? What did the Communist Party, of which the Rosenbergs were members, have against them that it fed them to the F.B.I. and Judge Kaufman? And what did the Party have to gain from their show trial, clemency campaign, and execution—over and beyond what it had already gained from the confession, arrest, and imprisonment of Klaus Fuchs?

Who knows? Perhaps the Rosenbergs had in some obscure way strayed from the Party line. The Party tries to never kill a stranger. In any case it might be very useful to provoke the American populace to indignation against two New York Leftwing Jews. Eager to condemn radical elements, the American majority would readily convince itself that these traitors had given Russia the bomb—and therefore that *Russia had the bomb*. Confident of America's superior inventiveness and industry, the majority would acknowledge that cunning aliens might take advantage of our natural frankness and generosity, would console itself that for once "our" government—thanks largely to the legendary F.B.I.—had outwitted and caught the wily Communists dead to rights. That the Rosenbergs stubbornly denied their guilt precluded sympathy or doubt. The dirty, unrepentant Communists got what was coming to them.

The lesson which the Communists were thus able to induce the Americans to learn was the same as that of the Fuchs case. But the death sentence, imposed at the end of a dramatic trial, and carried out after a still more dramatic campaign for clemency, added terrible emphasis to the conclusion: *because of the dirty Communist atom spies, RUSSIA HAS THE BOMB!*

Because of the belief that Russia has

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the bomb, we — the United States of America — could not win in Korea, could not defend Cuba, cannot make sense in Vietnam.

III

WALTER AND MIRIAM SCHNEIR are certainly right when they say, "The importance of Gold's role in the trial can hardly be overemphasized. . . . Without Harry Gold's testimony, there is simply no conspiracy case." (*op. cit.*, Page 160.) But their view that the incredibility of this key witness means that the Rosenbergs were framed by a McCarthyite Government is wholly untenable because (1) the Government was not, more's the pity, McCarthyite (though Judge Kaufman could sound like Senator McCarthy when he had a mind to), and (2) the Communist lawyer Emmanuel Bloch, defense counsel for the Rosenbergs, must have known and could have shown that Harry Gold was a liar. Instead, he chose to waive cross-examination of this key witness, and even to vouch for Gold's complete veracity. In summation before the jury Bloch was at one with Prosecutor Irving Saypol, who said of Gold that it was "obvious to everyone in this courtroom that he was telling the complete truth when he described his trip to Greenglass." When Bloch fully concurred by saying that Gold "impressed you [the jury] as well as impressed everybody that he was telling the absolute truth, the absolute truth," the Rosenbergs were right then as good as dead. For if Gold was telling the absolute truth, then he must have come from Julius, for where else could he, directly or indirectly, have got that piece of Jello box top? This witness had to be discredited if the Rosenbergs were to live; the significant feature of Bloch's conduct of the case is not simply that he did not discredit Gold, not even that he did not *try* to discredit Gold, but that he *exerted him-*

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self to endorse Gold.

Neither Saypol nor Bloch could have been deceived about Harry Gold's veracity. Just four months before the Rosenberg trial there was a sort of rehearsal in the trial of one Abraham Brothman and business partner Miriam Moskowitz on charges of having obstructed justice in matters relating to espionage by conspiring with and persuading Harry Gold to tell lies to a Grand Jury in 1947. In other words, the proposition that Harry Gold was a perjurer was the issue in the Brothman-Moskowitz trial of November 1950. Prosecutor Saypol satisfied the jury in that trial that Gold had been elaborately a perjurer, for that was just what Saypol had to do to win the case, which he did. Irving R. Kaufman was the judge. Since the Rosenbergs were at the time in jail waiting their own trial before the same judge, it can hardly be supposed that Bloch, who was preparing to defend them against the same prosecutor, would have failed to follow the case.

It was during this trial that Gold, reviewing his dealings with Brothman and the prodigality of his own imaginative lies, exclaimed: "It is a wonder steam didn't come out of my ears at times!" This bit of self-criticism was eventually to become in its own way a classic, and it must have been known to Bloch as well as Saypol at the time. Also known to Saypol, if not to Bloch, was another of Gold's self-evaluations, this one in a report he wrote in prison, dated October 11, 1950:

Everything that I had done for the past 15 years (all of my life as a grown man) was based on falsehood and deception. As I have said before, every time that I went on a mission, or even on a simple trip to New York, I must have lied to at least 5 or 6 people—so possibly to expect an instantaneous change to

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complete truthfulness literally overnight was too much.

Possibly. But that is what Saypol, and Bloch, in effect asked the jury to do. Successfully. But if the jury could have known what honest prosecutor Saypol and earnest defense counsel Bloch must have known about the credibility of Harry Gold, it would never have convicted the Rosenbergs.

The report mentioned above was one of two memoranda Gold made in prison between his arrest in May 1950 and the Rosenberg trial ten months later. Both were eventually published as appendices to *Hearings before the Senate Internal Security Subcommittee* conducted in April 1956 and released in December of that year as Part Twenty of *Scope of Soviet Activity in the United States*. Analysis of Gold's testimony at this Hearing and of his appended written statements leaves no basis for believing anything he ever said unless otherwise verified. One of the most striking features of the memoranda is what they do not say. They do not say anything about a Jello box top. Yet it is only the Jello box top which necessarily connects Gold's alleged visit to Albuquerque June 3, 1945 with the Rosenbergs.

The first of the memoranda, dated June 15, 1950, serves notice that Gold is an adept at fiction. In the following excerpts are names of alleged successive Soviet spymasters to whom Gold reported, with his notations of how he served them:

2. Name: Steve (Schwartz) — giant of a man, 6 feet 3 inches, 220 pounds; easygoing; wore spats. Time: September 1936 to September 1937. Information: Process for manufacture of ethyl chloride (a local anaesthetic), also cleanup of data on solvents. . . . Source: Pennsylvania Sugar Co. [Gold's employer] and

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subsidiaries. Recruits: Made up names. . . . 3. Fred—small, dark man with moustache, dictatorial manner. Time: October 1937 to August 1938 and November 1938 to March 1940.

(a) Details of experimental process.

. . . (b) False information on various prospective recruits — Daniel Kline (imaginary). All a delaying action.

. . . Sources: (a) . . . — my own notes. (b) False information on recruits—invented by me to stall Fred.

. . . (Hearings cited above, pp. 1055-1056. Emphasis supplied.)

It would be a simple if laborious matter to accumulate from the record further examples of Harry Gold's Munchausen-like mendacity. The Schneirs, and before them Oliver Pilat (*The Atom Spies*, Putnam, 1952) have done that. Gold invented dream lives for himself—including a wife and children (he was in fact a bachelor) and a brother killed in action in World War II in the South Pacific (his brother was in fact still alive). Nothing is more plausible than the suggestion that his tale of espionage, for all its Defoe-like verisimilitude of circumstantial detail, may also have been a creation of fancy. Gold is not really a scientist, as I will show in a moment. As the Schneirs demonstrate, it is by no means certain that he ever went to Santa Fe. It seems highly unlikely that he ever met Klaus Fuchs. (Fuchs while in prison in England was shown still and motion pictures of Gold, but did *not* identify him until *after* news of Gold's confession to the F.B.I. had been published in England. Fuchs would then have known that it was Party Line to peg Gold as his American accomplice, and we have seen evidence that Fuchs followed Party Line throughout his stay in prison, as well as before and after.)

It is not reassuring to realize that "our" government, when it prosecuted the Rosenbergs to the death, had in its

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thirty years—which at this writing he is still serving.

Of the seven named conspirators, one, Ruth Greenglass, was never indicted, though she admitted participation in the conspiracy. Another, her husband David, was indicted and pled guilty, drawing at the end of the trial a sentence of fifteen years, of which he served ten, including time in jail before the trial. He was released from Lewisburg (Pennsylvania) Federal Penitentiary in November 1960. His present whereabouts is unknown. A third, Harry Gold, had pleaded guilty to an earlier charge, and had already been sentenced to thirty years before the Rosenberg trial began. Gold was paroled from Lewisburg this past May and was returned to his home in Philadelphia. A fourth named conspirator, the Russian Yakovlev, could not be found and brought to trial.

Thus it was the two Rosenbergs and Sobell who were actually tried. Sobell's role remains obscure and has attracted comparatively little interest—which, like so many popular reactions, may be a mistake. If so, it will have to remain largely uncorrected here, as available information for a revisionist view of the case, as well as for the original prosecution, centers on the husband and wife "Atom Spies."

The jury which convicted Julius and Ethel Rosenberg was persuaded by the testimony of their alleged fellow conspirators David Greenglass, Ruth Greenglass, and Harry Gold. In the spring of 1951 no jury could have been significantly prejudiced against the defendants. The Rosenbergs were unknown before their arrest in the summer of 1950, and there was little publicity about them, even at the time of the trial, until the spurious Communist campaign for clemency began in the fall of 1952. Even now little is known of their personal lives, as distinct from their "case." The world spotlight shines

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possession so many indications and admissions of falsehood by such a key witness as Harry Gold. That the Communists knew Gold was a liar, and knew that the government knew it, meant that they could with impunity charge the government with frame-up, as they have done for fifteen years, and as Walter and Miriam Schneir have virtually proved. Of course, what the Communists cannot admit, and what the Schneirs do not go into, is the Communists' own complicity in the frame-up. The Schneirs do note that failure to cross-examine Gold was—in view of his provable penchant for perjury—“one of the more egregious of a number of serious errors committed by the Rosenberg-Sobell defense.” (*op. cit.*, Page 363.) But it never seems to occur to them that Emmanuel Bloch, being no fool, did not commit such errors except to connive with the prosecution and with Greenglass counsel Rogge according to a plan, which in its larger aspects was the same plan as that followed by Klaus Fuchs.

Harry Gold was not the scientist that he has been taken to be by himself and others. In his first prison memorandum he wrote: “Klaus Fuchs—obtained information on atomic energy. I thought at first that this was *merely a project to separate the isotopes* and really did not immediately grasp the terrific destructive power which was finally unleashed.” (*Hearings*, Page 1057 Emphasis supplied.) There was no more difficult task in the atomic bomb project than separation of isotopes. Chemically, the task is impossible; that a chemist should in such context write “merely” raises doubt that he understands what he was writing about.

These doubts become certainty of his ignorance and confusion in such a passage as the following from his second prison memorandum: “In about 1945 the gigantic Hanford, Wash., development of the Manhattan project was con-

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structed to separate the isotopes of uranium—and the process tried there was thermal diffusion.” (*Hearings*, Page 1081.) Hanford, Washington, was the site of the reactors for producing plutonium. Isotopes were not separated there. The Hanford reactors were not constructed “about 1945,” but had by midsummer 1945 produced enough plutonium for the New Mexico and Nagasaki bombs. A thermal-diffusion plant for the separation of isotopes (S-50) was constructed “about 1945” at Oak Ridge, Tennessee.

In spite of certain pathetic pretenses by Gold that he achieved a sort of intimate friendship with Fuchs, whom he thought of as “noble,” it is evident that he had little comprehension of the real position of the inscrutable Teuton whose American accomplice he claimed to be. Of data that Fuchs allegedly gave him Gold wrote: “Undoubtedly it was very complete as far as Klaus’s own work went, but his knowledge of the entire Manhattan Project was far from so. He initially at least, did not know of the existence of either Oak Ridge or Los Alamos and had no concept of the United States industrial potential.” Actually, when Fuchs arrived in New York in December 1943, months before Gold allegedly met him, he already had a good outline of the gaseous-diffusion process and was immediately given full and detailed information, and set to work calculating effects of fluctuations on production rate. Dr. Karl Cohen, who directed work in which Fuchs participated, informed Senator Brien McMahon of this in a letter published shortly after the Rosenberg trial. “In the course of his assigned task,” wrote Doctor Cohen, “Fuchs obtained from the Kellogg Corp. complete knowledge of the process design of the K-25 plant.” (*Joint Committee on Atomic Energy, Soviet Atomic Espionage*. Government Printing Office, 1951. pp. 22-23.) K-25 is the giant industrial facility at Oak

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Ridge, subsequently duplicated at Paducah, Kentucky, and Portsmouth, Ohio. It was Gold not Fuchs who evidently "had no concept" of what it involved.

IV

MUCH OF THE material in the present article has been noticed before, though hardly with the same interpretation, but I believe that no one has examined certain passages in Gold's prison memoranda that are absolutely weird. They involve his relationship with Fuchs. In his prison memorandum of June 15, 1950, Gold wrote: "Meeting with John [Yakovlev] in December 1946. He apologized for not having seen me; demanded information from Klaus (I did not have any); I told him of the story of Klaus's arrest in England." (*Hearings*, Page 1058.)

It is impossible in this space to bring out all the extraordinary implications of these few lines, but to apprehend in part how astonishing they are, consider the following facts: Klaus Fuchs had left the United States five or six months before this alleged meeting between Gold and Yakovlev; Gold was to testify at the Rosenberg trial that when he saw Fuchs in Santa Fe in September 1945 they arranged then the recognition signals to be used in London by Fuchs and his English contact, and Gold promptly reported this arrangement to Yakovlev in New York. So why would Yakovlev "demand" of Gold information from Fuchs in December 1946?

Most pointedly, Fuchs was arrested February 2, 1950, and Gold is supposed to have learned of the arrest, like everyone else, in the papers of February 3, 1950. How then could he have told Yakovlev "the story of Klaus's arrest in England"—*in December 1946*? Perhaps Gold got the date wrong. But this is supposed to be the last time he ever saw Yakovlev at all. Perhaps it was another Soviet agent that he told. But, repeat, he

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was not supposed to know of Klaus's arrest till he read it in the paper.

Well, it is a curious anomaly, a singular aberration. Curious indeed, but not singular. This thing is about something, something of which we get an even more puzzling glimpse in Gold's second prison memorandum, dated October 11, 1950—which would be only a year after whatever the following something is:

“. . . there had been two subsequent meetings with the Soviet agent in New York in the fall of 1949. . . . the second occurred because it was unfortunately scheduled for the very Sunday following the arrest of Fuchs (on a Friday). . . .” (*Hearings*, Page 1085.) Author Oliver Pilat, whose book *The Atom Spies* contains one or two mysteries of its own, silently corrects Harry Gold on the date of this meeting, and puts it on February 3, 1950. But that will never do. Gold's dating of his alleged last Soviet contact is no careless slip. When Gold testified before the Senate Committee in April 1956, Robert Morris went to a lot of trouble to establish the date as Sunday, October 23, 1949. Gold said:

“I can recall the date quite accurately by something that occurred in connection with that, the matter of associating things. That night, after the meeting was over—the night was, I believe, the night of the 23rd of October—the reason I feel precise, I am precise about it: After I left Sarytchev [the alleged Russian contact] I bought a newspaper, the *New York Daily News*, which contained on the sport page an account, an account of a professional football game between the New York Yankees of the league which is no longer in existence, and the San Francisco '49ers, and I remember particularly a couple of phrases from the account, to the effect that New York's two, the Yankees' two huge tackles, one of whom was Arnie Weinstmaster, these two tackles had kept breaking through the San Francisco line and

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spilling Joe Perry, the San Francisco halfback, the 49er halfback, and Frankie Albert, the quarterback, for consistent losses, Perry before he could get started running, and Albert before he could start his fancy hipper-dipper stuff.” (*Hearings*, Page 1042.)

After this sample of Gold’s apparent total recall, Robert Morris interrupted to have read into the record from the *New York Daily News* of Monday, October twenty-fourth (on the streets the night of the twenty-third) the first two paragraphs of the story of the game, and of course it was just as Gold said.

What a witness!

The trouble is, the more firmly it is established that he really meant the date was October twenty-third, and could prove it, the more violent becomes the contradiction with the prison memorandum which said that this Sunday was the Sunday following Klaus Fuchs’ arrest on Friday, which arrest actually occurred on Friday, February 3, 1950.

Oh, well, the heck with it! Let’s just not worry about such contradictions in the testimony and written confessions of a guy like Harry Gold, who is evidently some kind of nut! And the trouble with that is, that the testimony of whatever kind of nut this guy is is what sent the Rosenbergs to the chair. An *essential* part of what sent them to the chair.

Now hear this. And listen close, because this stuff is screwy, and I know it is complicated, though I am leaving some of the complications out for the time being. It *was* in October 1949 that Klaus Fuchs went to the security officer in England, Wing Commander Henry Arnold, and began the series of conversations which, transferred to W. J. Skardon of Scotland Yard, resulted in Fuchs’ confession January thirtieth, and his arrest February 3, 1950. Could Gold through some kind of grapevine have known about that visit of Fuchs to Arnold?

The suggestion can be dismissed as

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preposterous. Well, it can be, and it is preposterous, but before finally dismissing it, consider another little item. The day after Gold testified before the Senate Committee, Robert Morris brought to the stand David Greenglass, and in the course of interrogating him about his dealings with Julius Rosenberg in 1949 elicited this:

Our relationship was now at a low ebb, a minimum. But one day in October he [Rosenberg] came to see me, and he told me that I had to start thinking about leaving the country, and I said, "Why?" And he told me, "At present they are talking to the man who spoke to the courier who spoke to you."

Mr. MORRIS: Let me see now, because the FBI—

Mr. GREENGLASS: No.

Mr. MORRIS: He did not say that?

Mr. GREENGLASS: Scotland Yard.

Mr. MORRIS: Scotland Yard?

Mr. GREENGLASS: England; in England, he said.

Mr. MORRIS: Scotland Yard was talking to the man who—

Mr. GREENGLASS: Who had been — the man who had spoken to the man who had spoken to another man who was the man who had seen me in Albuquerque. (Hearings, Part 21, Page 1106).

Really, this is embarrassing. The English *were* talking to Fuchs in October 1949, but Julius Rosenberg didn't know it, David Greenglass didn't know it, Harry Gold didn't know it! Certainly they were not *supposed* to know it! Well, I'm just telling you what Gold and Greenglass told the Senate Committee in April 1956. Of course Rosenberg couldn't talk. He had been electrocuted three years earlier.

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But we can't take what Greenglass and Gold say seriously! That is what the Rosenbergs' lawyer said. No! That is what the Rosenbergs' lawyer *should* have said.

I don't know how much thought you want to give this thing. It has been working on me for a good many years now. Maybe I'm hipped on the subject. The Commies think about it a lot. They have parlayed the atom spies into (1) proof that Russia is a superpower, (2) proof that the United States is brutally unjust. But such "proof" depends on taking certain established stories at face value. That's why I like to question things, even details.

Consider now the crisis of credibility produced by the joint anachronism noted above of David Greenglass and Harry Gold. Both say they heard about Fuchs' confession in October 1949. Both insist on the matter; it is not with either a casual slip. But if official accounts are correct, then neither Gold nor Greenglass could have heard about Fuchs' confession before February 3, 1950. Dilemma: (1) Gold and Greenglass are unreliable witnesses, and (2) Fuchs' confession was talked about in clandestine circles before he confessed—was, in fact, part of a plan to prove that Russia had the bomb, a secret plan, yet known to a number of people.

That is a dilemma only from the official point of view. In my own judgment, (1) is clearly true, and (2) very well could be true. Gold and Greenglass were certainly prevaricators. I have in this article hardly touched the surface, but as far as Gold at least is concerned I think I have made the point. Yet they didn't lie all the time, and there seems little likelihood that they would have invented this particular anachronism. They had no motive I can think of, and it challenges probability that they should both, in naming the wrong month for hearing of Fuchs' con-

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fession, name not only the same month, but also both name the month in which Fuchs' *actually did*, supposedly in deepest secrecy, initiate his graduated process of confession. The Gold-Greenglass anachronism seems like a Freudian slip, an unconscious partial revelation of a generally hidden truth.

Under proper supervision, Gold and Greenglass told stories more consistent with the official record. Greenglass in particular told at the Rosenberg trial the same story he told Robert Morris five years later, but put the date of his conversation with Rosenberg about Fuchs on Sunday, February 5, 1950 instead of "one day in October," and he gave more circumstantial details. He said, in part, that Julius Rosenberg "came up to my apartment and awakened me. It was about in the middle of the morning. I slept late because I work at night. He said that he would like me to go for a walk with him and we went down the street, down Sheriff Street, toward the Hamilton Fish Park, and we walked around the park and during this walk he spoke to me of Fuchs. He told me, he said, 'You remember the man who came to see you in Albuquerque? Well, Fuchs was also one of his contacts'; and this man who came to see me in Albuquerque would undoubtedly be arrested soon, and if so would lead to me." (Printed Rosenberg Trial Record, Page 523.)

Now this is obviously the same conversation which Greenglass told the Senate Committee took place in October 1949, but the added feature about the walk in the park gives us something else to check on. According to the *New York Times* of February 6, 1950, the low temperature of February 5, 1950—the day Greenglass told the court the conversation occurred—was twenty-six degrees Fahrenheit at 9:15 a.m., not too far from "the middle of the morning." It sounds like a less inviting time for a

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stroll in the park than would have been almost any day in October.

Sometimes a man just doesn't know what to believe. But sometimes he knows what he cannot believe. I don't see how anybody who has studied the record can believe Harry Gold, or David Greenglass. But unless these two are to be believed, the Rosenbergs were framed.

Who did it? Bloch, of course. But no one was more totally involved in the Rosenberg case than Bloch's associate, former Assistant U.S. Attorney General O. John Rogge, registered agent for the Communist Dictator Marshal Josip Broz Tito of Yugoslavia. [TO BE CONTINUED] ■ ■

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on a tragic mask of anonymity. In contrast, the personalities of David Greenglass (but not Ruth, who remains enigmatic) and Harry Gold, disordered and confusing as they appear, are almost embarrassingly on display. Gold is obviously a pathological liar. Greenglass is pathological and a liar. There was, however, no way for the jury to know this in March of 1951, no reason for it to suspect. The Rosenbergs' attorney in effect conceded Gold's veracity in general, and Greenglass's in the crucial matter of his allegedly delivering to the Rosenbergs the design of the "implosion-type" atomic bomb. Defense counsel Bloch's conduct of the case hardly left the jury any alternative but to find his clients guilty as charged.

The Greenglass story, dramatically corroborated by Gold, may be organized around a series of trips between New York City and Albuquerque, New Mexico. One of these—the fourth in the list which follows—probably never actually took place at all. It is this trip of Harry Gold's, during which he allegedly met with the Greenglasses in their Albuquerque apartment on June 3, 1945, which is the heart of the case against the Rosenbergs. Fact or fiction, it convinced the jury—as without relentless probing it was bound to do—of the guilt of David Greenglass's sister Ethel and her husband Julius.

Here are the trips in chronological sequence:

1. *Ruth Greenglass Goes to Albuquerque.* In November 1944, while David Greenglass was stationed at Los Alamos in the "Special Engineer Detachment," his wife, Ruth, came to Albuquerque, where he met her for a five-day visit. This was on their second wedding anniversary. The third or fourth day Ruth told David that before she left New York the Rosenbergs had told her that Julius was now giving information to the Soviet Union. They told her further that David's work in New Mexico was

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part of an atomic bomb project. This was news to David. Ruth brought an urgent request from the Rosenbergs that David furnish information concerning his work and his surroundings. After some initial reluctance he told her such things as the general size and layout of the Los Alamos installation and the names of prominent scientists—at that time “classified information.” Ruth did not write this information down but returned to New York with it in her mind.

2. *David Greenglass Goes to New York on Furlough.* In January 1945 David got a fifteen-day furlough, plus travel time, and went to New York. During this visit three important episodes were said to have occurred. First, in conversation with Julius, David gave *and received* information about the atomic bomb. He gave further personnel data—“a list of people who seemed sympathetic with communism and would help furnish information to the Russians”—and “sketches of flat type lens molds.” A lens mold was a matrix for shaping high explosives—part of the development of the “implosion” bomb, the kind to be tested in New Mexico July 16, 1945 (“Day of Trinity”) and used over Nagasaki August 9, 1945. *Julius told David* of the “gun-type” atomic bomb, which—as things turned out—was to be used once, with unparalleled historic effect, August 6, 1945, at Hiroshima.

Julius introduced David to “a Russian” with whom he drove around in a car borrowed from Ruth’s father. David could not answer the technical questions about the lens mold which the Russian asked him.

The third episode was the most piquant. At a dinner party in the Rosenberg apartment in Knickerbocker Village, Julius and Ethel introduced Ruth and David to a woman named Ann Sidorovich, and indicated that she might come to Albuquerque in the late

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spring to receive such information as David might then be ready to deliver. In case, however, this woman could not go to New Mexico, a device was hit upon for mutual identification between the Greenglasses and any person who might later be picked to go to them. Here is David's trial testimony: "Well, Rosenberg and my wife and Ethel went into the kitchen and I was in the living room; and then a little while later, after they had been there about five minutes or so, they came out and my wife had in her hand a Jello box side. . . . And it had been cut, and Julius had the other part to it, and when he came in with it, I said, 'Oh, that is very clever,' because I noticed how it fit, and he said, 'The simplest things are the cleverest.'"

It may be noted that the Greenglass portion of the Jello box side was kept by Ruth in her wallet. David had atomic information; Ruth had the means of identification. Husband and wife had to be together to effect a transfer of information to a previously unknown courier. Actually, Ruth was in control.

3. *Ruth Moves to Albuquerque.* David returned from New York to New Mexico about January 20, 1945. Ruth moved to Albuquerque in March. They got an apartment at 209 North High Street. David would come from Los Alamos on week-ends. In mid-April Ruth suffered a miscarriage. There was a plan to meet a courier in late April or early May in front of an Albuquerque Safeway store. Ruth went there twice, David with her the second time, but nobody showed up from New York. Espionage, too, can have tedious frustrations.

4. *Harry Gold Goes to Albuquerque.* David and Ruth were in their apartment at 209 North High Street the first Sunday in June—June 3, 1945—when, the story goes, a man knocked at the door and said that he "came from Julius." He had the matching part of

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the Jello box side to prove it. He introduced himself to the Greenglasses as "Dave from Pittsburgh," but he is known to history as Harry Gold from Philadelphia. In the trial testimony the two Greenglasses and Gold agreed that David went to Ruth's handbag and got his portion of the minimal jigsaw puzzle. There was disagreement in that David said he did so immediately on hearing the visitor say, "Julius sent me," while Ruth and Harry Gold testified, perhaps more logically, that Gold was the first to produce half of the torn cardboard.

Such a discrepancy hardly seems significant, especially in view of the fact that Gold probably never went to the Greenglass apartment in Albuquerque at all. Harry Gold is one of the great liars of all time. Like Doctor Oppenheimer, he has accused himself of fantastically complicated prevarication. Such a self-accusation is logically irrefutable. When a man says, *I'm a liar*, he is either telling the truth or lying. Either way, he is a liar. Of course, Gold and Oppenheimer give very different impressions. Complicated as Oppenheimer may be, one feels that he has some purpose in lying—a purpose probably addressed to power. Gold, on the other hand, is a sort of tragic Walter Mitty, living in a dream world and reporting his experiences there as if they were real. That his dream world has had such an impact on our real world is not primarily Gold's fault, but our own. For unlike Doctor Oppenheimer, Gold's lies are on analysis easy to detect and at the time of the Rosenberg trial were, many of them, already a matter of record.

In the same court just four months earlier—that is, in November 1950, when attorneys for both sides in the Rosenberg case were already at work—Gold had, as a witness in the Brothman case, accused himself of elaborate lies before a Grand Jury in 1947 and of having

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constructed a whole fantasy life which he related to an employer for the truth over a period of years. Judge Kaufman heard the Brothman case, Saypol prosecuted it. Defense lawyers Bloch and Rogge could hardly have avoided knowing about it. But the Rosenberg jury was protected from such knowledge, mainly by Bloch's refusal to cross-examine Gold.

This is, of course, to anticipate. Later, it will be necessary to consider at some length whether any of Gold's confessions are seriously credible, including his alleged activities as a courier between the Russians and the celebrated atom spy Dr. Klaus Fuchs. All these activities he dragged into his testimony in the Rosenberg case. Indeed, the Harry Gold story was a major feature of the Rosenberg show trial. Here are excerpts from that story:

" . . . I arrived in Santa Fe on Saturday the 2d of June 1945. . . . My conversation with Dr. Fuchs in Santa Fe lasted about 20 minutes to half an hour. . . . I left Santa Fe in the very late afternoon . . . the 2d of June. . . . I went by bus from Santa Fe to Albuquerque.

"I arrived in Albuquerque early in the evening of the 2d of June, and about 8:30 that night went—about 8:00 or 8:30, yes, I went to the designated address on High Street. There I was met by a tall elderly whitehaired and somewhat stooped man. I inquired about the Greenglasses and he told me that they were out for the evening but he thought they would be in early on Sunday morning.

" . . . Then I returned to downtown Albuquerque. . . . I stayed that night—I finally managed to obtain a room in a hallway of a rooming house and then on Sunday morning I registered at the Hotel Hilton.

"**Q.** [by Assistant U.S. Attorney Myles Lane] Now, did you register under your own name?

"**A.** Yes, I did.