

Rosenberg Verdict Was

By Chip Magnus

IN ITS DESIRE to get the death penalty for Julius and Ethel Rosenberg, the U.S. government was willing to reveal atomic secrets even more sensitive than those the couple were accused of giving to the Soviet Union.

The death penalty, particularly for Mrs. Rosenberg, was deemed essential as a means of forcing Julius Rosenberg to reveal the names of others believed to have been stealing and transmitting further data to the Soviets.

However, the death sentences — which failed to achieve their intended purpose — were obtained through the use of only atomic data that the Soviets had already obtained, so the government was able to use less than its strongest case against the Rosenbergs.

These contentions of Roger M. Anders, archivist for the U.S. Department of Energy, may revive the controversy surrounding the execution of the New York couple in 1953. Writing in the current edition of the *American Historical Review*, Anders says that what the government called “the most serious espionage matter in the history of the nation” eventually became a tightrope-walking act for the Justice Department, the Atomic Energy Commission and the congressional Joint Committee on Atomic Energy.

The three groups debated for weeks how many secrets might have to be revealed in court to obtain the confessions and death sentences that would, they hoped, halt further suspected espionage.

To convict and doom the Rosenbergs, the government had to prove that the material the couple gave the Soviets consisted of accurate, classified atomic information. This required the government to reveal at least a sample of such information in open court. The question was: How much?

The answer, Anders writes, was: as much as was necessary to get the death sentences, including experiments on a principle called “levitation,” a matter still classified by the federal government 27 years later.

Using newly declassified material, Anders contends that



David Greenglass in 1951.

David Greenglass, Ethel Rosenberg's brother, had a surprisingly accurate knowledge of the bomb's components for a machinist with no formal training in atomic physics.

It was Greenglass who, while in the U.S. Army and working on a lathe at the Los Alamos (N.M.) atomic development site, obtained the information that the Rosenbergs were accused of passing on to the Soviets. And it was Greenglass who, as the government's principal witness, provided the most damaging testimony, leading to the deaths of his sister and brother-in-law in the electric chair at Sing Sing.

The recently declassified material, Anders writes, shows that AEC experts were startled by the amount and accuracy of the information Greenglass revealed in his confession to the FBI. The FBI, following Greenglass' arrest and confes-

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Worth Atom Secrets

sion, turned him over to the AEC. In a six-hour interview, James G. Beckerley, director of the AEC's division of classification, verified Greenglass' knowledge of atomic experiments.

Greenglass, Anders contends, was able to explain the operation of the top-secret implosion device that triggered the bomb, the "initiator" device, which triggers the chain reaction in an atomic explosion, and the experiments on "levitation."

Anders writes that the Justice Department admitted to Congress that its case against Ethel Rosenberg was "weak," but its prosecutors demanded first a lengthy prison term and then a death sentence for her, in the hope that it would make her husband confess and name his accomplices.

Myles Lane of the Justice Department's criminal division, Anders writes, believed that only the death penalty would induce Julius Rosenberg to talk; he was suspected of being a "paymaster" and "recruiter" for a nationwide espionage ring and thought to be in a position to name several others involved in the stealing of U.S. defense secrets.

However, since the case against Mrs. Rosenberg was "weak," in Lane's estimate, a strong case had to be made against Julius, which meant that Greenglass would have to convince the court that he knew classified atomic secrets.

How Many Secrets?

THE GOVERNMENT'S concern was that Greenglass and two expert witnesses who testified as to the accuracy of his information might say something in the Rosenbergs' trial that "would reveal technological secrets about the atomic bomb that were even more sensitive than those Greenglass claimed to have given the Russians."

Although the government was prepared to reveal such secrets, if necessary, to get the death sentences, the AEC did not want them coming out unnecessarily, Anders says. There was always the fear — especially when an aggressive prosecutor, Irving H. Saypol, was brought into the case — that careless questioning by the prosecution or vigorous cross-examination by the defense might at any moment reveal top-secret atomic data.

Both Attorney General J. Howard McGrath and Sen. Bourke B. Hickenlooper of Iowa, a member of the congress-



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Ethel and Julius Rosenberg in 1951.

sional joint committee, were involved in the discussions at some point.

A decision was made to permit Greenglass to testify on his knowledge of the Hiroshima-type bomb and the implosion triggering device — information the Soviets obviously knew, as evidenced by their first atomic explosion in 1949, two years before the trial. The information was still classified, but its revelation could no longer help the Soviets and it would show that Greenglass knew classified information that, during World War II, would have been valuable to another country.

On the other hand, Anders writes, the AEC wanted to protect details about the "levitation" experiments and the "initiator."

Anders writes that the trial was all that the AEC could have wanted. No secret was compromised, and even the defense cooperated by not calling its own expert witnesses and by not hammering too hard at Greenglass' knowledge of the atomic bomb.

The Rosenbergs were convicted and sentenced to death largely on the basis of Greenglass' testimony.