

Dissenting Opinion

INVITATION TO AN INQUEST. By Walter and Miriam Schneir. Illustrated. 467 pp. New York: Doubleday & Co. \$5.95.

By NATHAN GLAZER

WALTER and Miriam Schneir's "Invitation to an Inquest" is a major event in the history of the celebrated case in which Julius and Ethel Rosenberg were charged with transmitting atomic-bomb secrets to a foreign power. The Schneirs have gone through the trial records, interviewed most of those connected with the 1951 trial that they could find and who were willing to be interviewed, re-examined in fine detail all the physical evidence, scanty as it was, that was presented at the trial. They have come to the conclusion that the Rosenbergs were accused, tried, and finally executed in 1953, for a crime they did not commit.

I do not believe that the doubts of many people as to whether the Rosenbergs were guilty can ever be stillled by even the most thorough re-examination of the evidence and the participants in the trial. The doubts—and they are widespread, particularly in Europe—do not to my mind stem primarily from the quality of the trial. They are the result first of the verdict, of the fact that two young people, the parents of young children, were put to death. A second cause for doubt is that to many, sympathetic in various degrees to the Soviet Union, the acts for which they were executed did not appear to be serious crimes at all.

Even for those to whom the crime seemed terrible enough in the years just after Russia had exploded an atom bomb and when we were engaged in a war in Korea, it may not seem so serious today, when we have learned to live with the fact that other nations possess the atom bomb, and when the monolithic unity of Communism is badly shattered.

WE know that Klaus Fuchs, who played a major role in the development of the atom bomb, and who was capable of giving Russia far more important information than David Greenglass, Ethel's brother, could have transmitted through the Rosenbergs, received only 14 years, the maximum permitted under English law, and is now free. Certainly the execution of the Rosenbergs, terrible as it was, appears even more terrible today—when we all know, as scientists insisted in 1945, that any economically developed nation, if it is sufficiently motivated, can develop nuclear weapons.

The Schneirs point out that no incriminating evidence was found on the Rosenbergs. Their trial was based primarily on the testimony of David Greenglass, a co-conspirator who was given a sentence of 15 years, and his wife Ruth. Important supporting testimony was given by Harry Gold,

who had already been tried as a confessed Russian spy and who had received 30 years. He testified that he had visited David Greenglass, then in the Army working as a machinist at Los Alamos, on a trip to Albuquerque undertaken on instructions from his Russian superior in espionage, and had picked up material relating to the atom bomb. He implicated Julius Rosenberg, even though Gold had never seen Rosenberg.

Those who believe the Rosenbergs innocent must challenge primarily the story that David and Ruth Greenglass told. The issue is veracity, and veracity is a difficult thing to establish. In the trial, the government tried to establish the truth of the Greenglasses' story by putting them on the stand; the defense tried to shake it by putting the Rosenbergs on the stand.

The Schneirs believe that Greenglass and Gold were lying. Their main support for this charge is that both of them had a remarkable capacity to embroider, to amend, to fill out their accounts of what really happened. If Greenglass and Gold did

not initially, or early in their interrogations, tell the whole story that they told at the trial, the Schneirs ask, why should we believe that they told the truth at the trial? The Schneirs are in the position of being able to compare earlier and later stories. The first accounts Greenglass and his wife gave his attorney are available in memoranda that were sometime later stolen and made available to the Rosenberg defense. (These memoranda have been in the record of the case since 1953.)

In addition, the Schneirs were granted permission by Gold to examine his recorded story, as he first told it to his attorney. The authors present further evidence of the chief witnesses' unreliability by comparing what the witnesses said before and during the trial with testimony they provided later to various Congressional investigating committees.

Certainly the Schneirs present a good deal of evidence, from what these men have said or others have said about them, that suggests instability and suggestibility. Thus Gold earlier said his Russian contact told

him the material he received from Greenglass was not important. At the trial he reported he had been told it was very important.

Do these inconsistencies suggest enough instability and suggestibility to make it plausible that Gold and Greenglass concocted the Rosenberg story out of whole cloth? I find that hard to believe: such a train of analysis founders on the question of motivation. For Gold, the Schneirs propose a motivation which has a certain amount of dramatic plausibility—he had a need to do great deeds and to suffer for them. They argue these great deeds were to first imagine feats of espionage, and then to confess them in hundreds of hours of testimony to F.B.I. agents, his lawyers and Congressional committees.

I appreciate the dramatic possibilities, but I find it more plausible to believe on the basis of all the evidence that the feats of espionage were not wholly imaginary. To sustain their argument, for example, the Schneirs have to suggest that Fuchs's feats of espionage may also have been imaginary. For Fuchs identified Gold as the man to whom he transmitted information.

THEIR efforts to develop a motivation for Greenglass are much less satisfactory. Why was it necessary for him to accuse his sister and brother-in-law? The Rosenberg revisionists have never been able to suggest the scenario which explains this, even if one accepts all the accusations with which they have peppered David Greenglass.

The Schneirs also claim that a hotel registration card which supports Gold's account of his trip to Albuquerque on June 3, 1945, is a forgery. They have examined this card in the Federal courthouse. If it is a forgery, from their account it could only have been prepared by F.B.I. agents. This is a very serious charge indeed.

Behind the reconstruction of a chain of unstable and suggestible men, the Schneirs paint the picture of a ubiquitous and intrusive investigating agency, determined to find atom spies, careless in checking the stories of compulsive confessors, suggesting insistently to informants and prisoners what must have been the course of events. They give a good deal of evidence, from people only peripherally involved with the Rosenberg case, that the rigor of F.B.I. investigation was sometimes not very different from persecution.

The Rosenberg evidence has always appeared to me more tenuous than one would wish to still all doubts. And yet it has held its shape against all efforts, none so well-researched as the Schneirs', to overturn it. There was not enough evidence, in my opinion, to condemn the Rosenbergs to death. And I wonder if a jury would find them guilty, and a judge sentence them to death, if they were tried today. But I do not believe that the Greenglasses and Gold imagined the story at the prompting of the F.B.I.



Ethel and Julius Rosenberg on their way to jail in New York, March 29, 1951, after their conviction as traitors.

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