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THE CASE OF JULIUS AND ETHEL ROSENBERG:
JEWISH RESPONSE TO A PERIOD OF STRESS

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Thesis submitted in partial fulfillment
of the requirements for Ordination

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DIGEST

The decade following World War II was a period of great change in the United States. Among the changes which occurred was the growth of a Red scare. One episode of this Red scare was the trial and execution of Julius and Ethel Rosenberg for conspiracy to commit espionage. The Rosenberg case created a large amount of publicity about several Jews who appeared to be Communists and were accused of being spies. This paper is an attempt to examine Jewish response during this time of stress on the Jewish community.

After an introduction to the case and a review of literature about the case, the first part of the paper investigates a spectrum of representative Jewish organizational and rabbinic response--the American Jewish League Against Communism on the Jewish right; the periodical Jewish Life on the Jewish left; and the American Jewish Committee, the Anti-Defamation League, and the National Community Relations Advisory Council in the Jewish center. While the response of the Jewish right was limited, the Jewish left loudly proclaimed anti-Semitic aspects of the case. The Jewish center declared just as loudly that anti-Semitism in the Rosenberg case was a false issue.

The second part of the paper offers a comparison with other religious responses in the United States and abroad. Examinations of the Christian response in the United States, the Christian and Jewish response abroad, and the Israeli response are made. The comparison then offered demonstrates how limited the American Jewish response was.

The concluding chapters furnish some additional evidence based on several polls and sociological studies. A large number of Jews, con-

cerned about a growth in anti-Semitism, feared that Americans would identify Jews with Communists and with spies. Yet Americans, by thought and by act, refused to make this identification. A case postscript then attempts to analyze some of the changes made in the quarter-century since the executions.

PREFACE

Over the years, much has been written about the Rosenberg case. I have now chosen to add my contribution to this body of literature. My choice goes beyond the contemporary fascination we, as a nation, have for the decade of the fifties. It even goes beyond a concern about the Red scare of the post-war years. My choice grows out of a curiosity I have long had, a curiosity about how Jews responded to a possible crisis situation at a time of great change for the American Jewish community.

The choice has not always been easy to pursue. I have encountered many difficulties in research and writing. Time became a taunting competitor; deadlines had a tendency to seem so far off and yet so imminent at one and the same time. Yet the project always remained an exciting challenge, continually beckoning me.

Many thanks are in order to those who eased the difficulties I encountered and shared the excitement I felt. I would especially like to thank Uri Herscher and Janice Muller for helping me guide this project from beginning to end; Mr. Burton Joseph for offering some important early assistance; the staff of the American Jewish Archives in Cincinnati for making available to me and helping me sort through their valuable collections relating to the Rosenberg case; and all those at the American Jewish Committee in the Blau-stein Library, the Records Center, and Rabbi James Rudin's office who assisted me in obtaining various Rosenberg and related papers. Finally, a profound thank you goes to Al, Mimi, and especially Debbie. Their patience with me during my months of research and

writing will never be forgotten.

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INTRODUCTION

THE JEWISH SETTING

Twenty-five years, from most any perspective, is a short period of time. Since I am twenty-five years old, this statement could be one way of reaffirming my fervent desire to believe that I am still a young man. But this statement also serves as a reminder that Ethel and Julius Rosenberg are not far removed from us. For twenty-five years ago, they were in prison awaiting execution.

I have few memories of the world then. Blacklists and loyalty oaths are known to me only as historical episodes in books and films. Senator Joseph McCarthy appears simply as a pathetic clown made fool by an impish lawyer named Welch. The persistent concern over the accusations of Communist affiliation seem eerily unreal today. But we must go back twenty-five years, in fact, we must go back to the whole decade following World War II, to place these memories into a proper perspective.

Although World War II ended in 1945 with the victory of the Allied forces, a reversal of alliances took place in the two years following. The United States helped reshape Hitlerian Germany (and also Japan) into a "model" of western democracy as well as a staunch friend and ally. During these same two years, our wartime ally, the Soviet Union, became a strong adversary bent on our destruction. These changes in our foreign policy then reflected onto the domestic atmosphere.

As foreign relations changed, so did domestic attitudes. President Truman instituted a loyalty oath for federal employees in 1947 saying that

he was "determined as far as it was humanly possible to see that no dis-loyal person should be employed by our government."¹ Some revisionist historians have gone so far as to claim that to support important United States interests in Europe and to ensure the passage of the Truman Doctrine and the Marshall Plan through an isolationist inclined Congress, the executive branch stirred up "nativist fears."² Yet factions of Congress seemed to need little stirring up. By 1947, the House Committee on Un-American Activities was enjoying a rebirth of public attention under the leadership of J. Parnell Thomas (R-NJ). Such attention grew, climaxing momentarily in the spectacle of ten famous Hollywood writers being jailed for contempt of Congress and countless others being black-listed. Yet Thomas and his committee continued their search beyond the Hollywood Ten relentlessly asking, "Are you now or have you ever been a member of the Communist party?"³ Then, in 1949, Russia successfully exploded an atom bomb. The comfort many in the United States had drawn from an apparent monopoly in this area disappeared. Emotionally unprepared for this event, government agencies intensified the search for Communists and spies.

What we now term the McCarthy era or the Red scare had begun. Jews were particularly vulnerable to it. Jews were prominent in the entertainment, academic, and scientific worlds. Many Jews also had relationships with leftist, socialist, or even Communist organizations dating back several decades. Many other Jews were to find that their flirtations with Communism of their younger years would come back to haunt them.

In spite of the visible number of Jews touched by the Red scare, another aspect of Jewish life was taking place with less publicity. The post-war period saw a rapid upward mobility of Jews into the upper middle

classes. Quotas diminished in number along with subtle signs of anti-Semitism. Jews began to live a life rather unique in Jewish history. And then in the span of four months in 1950--the same year that Joseph McCarthy began his campaign to weed out Communists in government--four people were arrested for conspiring to pass the secrets of the atom bomb to the Russians. Their names--Gold, Greenglass, Rosenberg, and Rosenberg.

Perhaps Aaron Antonovsky best describes the impact of this period in his study "Like Everyone Else, Only More So: Identity, Anxiety, and the Jew." Several years after the arrests, after the case had worked its way through the legal process, he writes:

The traumatic impact of this case is seen in full when the climate of the period is recalled. At that time (and possibly in all times and places, given its shadowy, self-betraying character), espionage, of all crimes, was considered most execrable by American public opinion. McCarthyism was at its peak. By 1953, there had been seven years of cold war with Russia and 'international communism' (how reminiscent the phrase is of another internationale). The Korean War was not yet over. Hitlerism had been defeated, but Soviet anti-Semitism, culminating in the Prague and Moscow doctors' trials, had come to the fore, almost suggesting that anti-Semitism was universal and omnipresent.⁴

Antonovsky touches a fear felt by many Jews during the course of the trial and appeals. Although most of the major characters in the Rosenberg case--on the defense and prosecution teams, among the witnesses and the accused, the judge himself--were Jewish, this, in itself, did not make the case a Jewish concern. Antonovsky hints and I would suggest that what is of far greater importance is how Jews perceived this case in relationship to their own existence in America. Thoughts and actions made the case a Jewish concern--such as the Jewish child fighting or screaming to blot out the name Rosenberg because his or her last name was Rosenberg,⁵ the Jew who took to the streets because of some interpretation of social

justice, or the many Jews who simply wanted the case to go away because they were Jews.

Jews in one form or another responded to the names of Gold, Greenglass, and Rosenberg. This paper is an attempt to: 1) examine a spectrum of Jewish organizational responses and 2) to offer a comparison with other religious responses both here and abroad. How did Jews respond in this time of crisis and how did the Jewish response differ from other responses?

A Jewish concern continues today. For Jews on the far left, the case lives on paralleling the injustices of the Dreyfus trial in France, the Beilis trial in Russia, and the Sacco-Vanzetti and Mooney trials here. Yet for many Jews, the case still holds some curiosity. For example, the library of the Hebrew Union College in Cincinnati continues to purchase any book or article on the case--even if that book or article is simply a long summary of the legal proceedings of the case. Perhaps the case will always hold some curiosity for Jews.

To limit the scope of this study, a specific framework is necessary. The bulk of this paper focuses on those years between the Rosenberg arrests in 1950 and the publication of the report by the House Committee on Un-American Activities entitled Trial by Treason six years later.

CHAPTER I

AN INFORMATIONAL AND BIBLIOGRAPHICAL REVIEW

An Informational Review: A Brief Look at the Case Itself

The people with the names Gold, Greenglass, Rosenberg, and Rosenberg were all accused of being coconspirators in a plot to commit espionage that included the transmittal of certain atom bomb secrets. To understand how the FBI arrived at these names, we begin in February of 1950 with another name, that of Klaus Emil Julius Fuchs. Fuchs, a British physicist, had been a member of the British team which assisted in the United States Manhattan Project to develop an atomic weapon during World War II. On February 2, 1950, Fuchs was arrested by British police for violating the British Official Secrets Act. They charged that while he worked on the British team, based in America from December of 1943 to June of 1946, he conveyed atom bomb secrets to the Soviet Union through certain contacts, one of whom may have been an American. Thus, in an America shocked by the Russian explosion of an atom bomb, an announcement such as the one made by a young member of the House Committee on Un-American Activities was not uncommon. That member, Rep. Richard M. Nixon (R-Cal), called for "'a full congressional investigation' of atomic espionage 'to find out who may have worked with Fuchs in this country.'"¹

J. Edgar Hoover felt considerable pressure to find this American contact. He sent two agents to London to question Fuchs. Then, on May 23, only three days after the FBI agents began questioning Fuchs, Hoover issued a joint announcement with then-Attorney General McGrath--the American

contact had been arrested. Late the night of May 23, a thirty-nine-year-old hospital chemist from Philadelphia was escorted by the FBI to jail. His name was Harry Gold. From his arrest through his sentencing, Gold maintained that he was Fuch's American contact.

With Gold's arrest, hope rose that he would name coconspirators and that a large spy ring could be destroyed. About a month after his arrest, other arrests followed. On June 16, the FBI arrested one David Greenglass on charges of conspiring to commit espionage for the Soviet Union during wartime. He was accused of meeting with Harry Gold in New Mexico in 1945 to convey certain vital information. During the war, Greenglass had been stationed at Los Alamos, New Mexico, where he worked as a machinist in a machine shop associated with the atom bomb project.

Greenglass' arrest led to other arrests, analogous to a set of dominoes falling one into the next. On July 17, the FBI announced the arrest of Julius Rosenberg, Greenglass' brother-in-law. Noting that Rosenberg was another link in the Soviet espionage ring, the Department of Justice press release on the arrest stated:

Rosenberg, in early 1945, made available to Greenglass while on furlough in New York City, one-half of an irregularly cut Jello box top, the other half of which was given to Greenglass by Harry Gold in Albuquerque, New Mexico as a means of identifying Gold to Greenglass. On this occasion in June, 1945, Greenglass was paid \$500 by Gold who obtained it from his Soviet superior Anatole A. Yakovlev, Vice-Counsel of the Soviet Consulate in New York City. Greenglass then turned over to Gold classified information he had secured from the Atom Bomb Project at Los Alamos . . . 2

The arrests continued. Almost a month later, on August 11, Julius Rosenberg's wife and David Greenglass' sister, Ethel Rosenberg, was arrested on the same charge--conspiracy to commit espionage. But Ethel Rosenberg was not the last arrested. That dubious distinction was re-

served for a college classmate of Julius Rosenberg by the name of Morton Sobell. The FBI picked him up at the Mexican border, giving the impression that Sobell had attempted to flee.

All the arrested were charged with violating the 1917 Espionage Act "which provided criminal penalties for those who engaged in seditious activities against the war effort or who delivered to any foreign government information relating to the national defense."³ Conspiracy to perform such activities was covered by this law which called for penalties of a maximum of thirty years imprisonment or death. Gold stood trial in November and December of 1950, receiving a sentence of thirty years. Then, as did David Greenglass and his wife Ruth Greenglass, Gold served as a witness for the prosecution at the trial of Ethel and Julius Rosenberg and Morton Sobell.

On March 6, 1951, at the giant Federal Court House on Foley Square in Manhattan, in the courtroom of Judge Irving R. Kaufman, the trial of the Rosenbergs and Sobell began. Irving Saypol headed the prosecution team, assisted by Roy Cohn, James Kilsheimer, and Miles Lane. Emanuel Bloch defended Sobell. In the remaining weeks of March, the jurors heard the Greenglasses and Gold tell an incriminating tale of espionage against the Rosenbergs. Sobell was linked to the conspiracy by another person, Max Elitcher. The prosecution did call in other witnesses to help buttress its case and offered several shaky items of physical evidence--sketches of lens molds and other vital information made by David Greenglass from memory, a copy of Gold's hotel registration card in Albuquerque, a replica of the Jello box top, snapshots the Greenglasses said were passport photos, and some cash the Greenglasses maintained that Rosenberg had given them to help them flee the country.

The Rosenbergs and Sobell took the stand in their own defense and denied any knowledge of or participation in the conspiracy. The jury, obviously more convinced of the Greenglass-Gold story, returned a verdict of guilty on March 29. A week later, Judge Kaufman announced his sentences. The Rosenbergs received death and Sobell the maximum imprisonment of thirty years. The following day, David Greenglass received fifteen years. In pronouncing the sentences, Judge Kaufman addressed these famous words to the Rosenbergs:

I consider your crime worse than murder. Plain deliberated contemplated murder is dwarfed in magnitude by comparison with the crime you have committed. In committing the act of murder, the criminal kills only his victim. The immediate family is brought to grief and when justice is meted out the chapter is closed. But in your case, I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused, in my opinion, the Communist aggression in Korea, with the resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country.⁴

The following weeks turned into months which turned into years as appeal after appeal followed upon denial after denial. The case eventually reached the Supreme Court. But the convictions stood. Appeals for commutation were made to the President. But the sentence stood. And on June 19, 1953, the Rosenbergs were executed.

A Bibliographical Review: How to Learn About the Case Without Becoming Confused

The brief look at the case above is just that--brief. To get a better understanding of the case, one should turn to many different sources. One of the unique aspects of the Rosenberg case is the vast amount of literature it has produced. Yet as a new student of this case, I felt a shorter, more detailed bibliographic review could be helpful to those who approach

it as I did.

One who is just learning about the case should begin with the two major current works about it--Walter and Miriam Schneir's Invitation to an Inquest (Penguin, 1974) and Louis Nizer's The Implosion Conspiracy (Doubleday, 1973). The Schneir book, currently in paperback, was first published by Doubleday in 1965. Its publication has generated the contemporary re-evaluation of the Rosenberg case for the Schneirs set out to find an answer to the question, "Were the Rosenbergs guilty and, we would add, if so, guilty of what?"⁵

To answer this question, the Schneirs examine the case from several points of view--the history of atom bomb development and the secrecy, or lack thereof, surrounding it; the several trials leading up to the Rosenberg-Sobell trial itself; the appeals campaign; the evidence and exhibits offered by the prosecution during the trial and viewed and copied by the Schneirs at the federal courthouse in Foley Square; and finally, the several people involved in the case. The Schneirs' examination of the exhibits and the people involved are most compelling. For example, they suggest the hotel registration card used by Harry Gold in Albuquerque was a forgery. Additionally, they suggest motives that might have led Harry Gold to perjure himself. In short, they hint that the whole affair was based on a series of lies with certain governmental agencies, especially the FBI, orchestrating these lies. The Schneirs offer a convincing argument.

A good supplement to the Schneir book would be the National Public Affairs Center for Television (NPACT) film produced by Alvin H. Goldstein for the Public Broadcasting System entitled The Unquiet Death of Julius and Ethel Rosenberg. The film takes the basic materials of the Schneir book and puts them onto film. The human impact of the film makes the book's

argument even more convincing. Additionally, Goldstein interviewed five of the Rosenberg jurors for the film, but their remarks seem to be edited to follow the Schneir argument (more on this below). For those unable to see the film, Lawrence Hill and Company published the script and some pictures in book form in 1975.

In contrast to the "revisionist" claims of the Schneirs and Goldstein, one should also read Louis Nizer's The Implosion Conspiracy. Nizer, an attorney, attempts to examine the legal process through which the Rosenberg-Sobell case passed. He stresses the fallacy of what he calls the analytical syndrome which assumes that all the evidence for the winning side must be believed by the jury, or it would not decide as it did."⁶ He notes that a jury has a right to be selective of a witness' story and must often choose between conflicting testimony. Such a choice is often more dependent on simple body language or tone of voice than upon the actual words themselves. Nizer attempts to recreate the trial--for himself and for us--to see if the legal process and system worked. He feels it was successful. For example, he notes that the case appeared before 112 judges when all was said and done. Of those 112, only 16 disagreed and those disagreements concerned only stays or reviews and not disagreements on the merits of the case wherein the Rosenbergs might be considered innocent.⁷ Although many Rosenberg supporters have been critical of Nizer's book, he often comes across as sympathetic to the Rosenbergs and quite respectful of Emanuel Bloch. The Schneirs analyze the evidence and find it faulty; Nizer attempts to understand how the judges and jury analyzed the evidence and finds the analysis successful.

One might wish to examine the earlier books on the case. Six books stand out, three favorable to the Rosenbergs and three favorable to the

government's case. The earliest book published favorable to the Rosenbergs was William Reuben's The Atom Spy Hoax (Action Books, 1954). As editor of the leftist periodical National Guardian during the Rosenberg trial, Reuben wrote a series of articles to demonstrate the Rosenbergs' innocence and to suggest a governmental frame-up. These articles were expanded into a book. Unfortunately, the book and the National Guardian are almost impossible to find.

Nearly as impossible to find is John Wexley's The Judgement of Julius and Ethel Rosenberg (Cameron and Kahn, 1955). This should be solved by the current publication of a revised paperback edition by Ballantine. Wexley offers a slightly more objective, less emotional (although much longer) account than Reuben. Yet he is just as convinced of the innocence of the Rosenbergs. Finally, one could turn to Malcolm Sharp's Was Justice Done? The Rosenberg-Sobell Case (Monthly Review Press, 1957). Sharp, a University of Chicago professor of law, offers the story of a lawyer (himself) originally convinced of the Rosenberg's guilt who, based on the evidence, later changed his mind. He accompanies his book with an introduction by famed scientist Harold C. Urey, a vocal Rosenberg supporter with Albert Einstein even before their executions.

Fully convinced of the Rosenberg's guilt was Oliver Pilat, a reporter for the New York Post. He wrote his book, The Atom Spies (Putnam, 1952) even before the Rosenbergs were executed. During and after the trial, Pilat was a vocal critic of the Rosenbergs and their supporters and had contacts in high places. His book shows his bias. His book was followed by S. Andhil Fineberg's The Rosenberg Case: Fact and Fiction (Oceana, 1953), the first full examination of the case. Fineberg's book, examined in detail later in this work, attempts to again prove the Rosenberg's guilt, paying particu-

lar attention to claims of anti-Semitism made by Rosenberg supporters. These claims are strongly disputed. Finally, one could also read The Betrayers (Coward-McCann, 1963) by Jonathan Root who, while sometimes critical of judicial actions, finds the Rosenbergs guilty.

All the above books present the case through another's eyes. I would suggest one attempt to get an unfiltered view if possible. Transcripts of the case can be found without too much difficulty. Several technical reviews of the legal proceedings have been written with Michael Parrish's article "Cold War Justice: The Supreme Court and the Rosenbergs" in the October 1977 American Historical Review perhaps the best. And the Rosenbergs' views and feelings remain accessible in their letters which can be found in the Death House Letters of Ethel and Julius Rosenberg (Jero, 1953) and the current collection edited by the Rosenberg sons, Michael and Robert Meeropol, entitled We Are Your Sons: The Legacy of Ethel and Julius Rosenberg (Ballantine, 1976).

After finishing these works, one can begin to form opinions about the case. Other pieces have been written which illuminate certain aspects of the case. By examining issues of Jewish Life magazine on the left and Commentary and The New Leader in the center at the time of the case, a picture of the Jewish aspects of the case can be drawn. Two studies have been completed offering an analysis of the Jewish response. Jeffrey M. Marker wrote an article entitled "The Jewish Community and the Case of Julius and Ethel Rosenberg" printed in the Fall 1972 issue of The Maryland Historian. He rewrote it and increased his criticism of the Jewish organizational response for the Winter 1974 issue of Davka. A 1976 Ohio State University Master's thesis (unpublished) by Berenice Kleiman on the Jewish reaction to the case is a lengthier account adding sections on the response of the

Jewish press, especially the Anglo-Jewish press, and the rabbinate. The response of the Yiddish press still needs to be examined.

Charges have been consistently made by Rosenberg supporters that the jury was not representative because it contained no Jews. Ted Morgan best refutes this claim in his article "The Rosenberg Jury" for the May 1975 Esquire. Charges have also been made that Judge Kaufman bent over backwards to be harsh on the Rosenbergs. This can only be considered conjecture; Kaufman was within bounds in sentencing and he has kept an amazingly strict silence regarding the case. A sympathetic view of him can be found in Milton Lehman's article about him in the August 8, 1953, issue of The Saturday Evening Post while a very critical view of him can be obtained by glancing through the National Committee to Reopen the Rosenberg Case's (NCRRC) pamphlet called The Kaufman Papers.

The Israeli reaction remains to be researched. A beginning attempt is herein made through an examination of the pages of The Jerusalem Post, Israel's English language daily. Further investigations are indicated.

Several other books offer some insights. The House Committee on Un-American Activities published a report in 1956 called Trial by Treason on the organized activities of Rosenberg supporters. HUAC has long since been disbanded. Morton Sobell, the less famous third person of the Rosenberg case, has written his book On Doing Time (Scribner's, 1974) about his years in prison. His work is less of an insight into the case than it is an insight into who he is. Additionally, newspaper accounts, especially the New York City papers, and file material (at the American Jewish Archives and the American Jewish Committee) could be invaluable.

Finally, for those truly interested in learning about the case--do not read Doctorow's The Book of Daniel or Coover's The Public Burning.

Both are fictionalized accounts of the Rosenberg case which make for interesting reading and place the case in a setting. But history they are not.

A Review of Access: Difficulties in Obtaining Information

In spite of the vast array of books and articles only some of which I have just reviewed, the case remains clouded today. Certain information is difficult to obtain. The Meeropols, for example, through the NCRRC, have experienced this in their efforts to obtain FBI documents. They have been notably unsuccessful in this attempt, in spite of the Freedom of Information Act and federal court orders in their favor. According to their estimates, the FBI has released less than 5% of its Rosenberg-Sobell files.⁸ They continue to press for further release.

Yet the NCRRC has its own problems with access. I personally experienced these problems in my efforts to locate the NCRRC office in New York City in the winter of 1977. I began with the simple desire to telephone the NCRRC office for some information. Little did I know that when the operator answered the number listed in the phone book, I had begun a wild goose chase. The operator offered me a second number which, when dialed, reached a recording. The recording in its own uniquely impersonal way, offered me a third number to attempt. Bravely dialing it, I reached the Empire State College. Upon hearing what party I was trying to reach, the receptionist at the college screamed at me to scream at Bell Telephone to get their numbers straight. She was tired of receiving phone calls for the Rosenberg committee.

Finding no solace in the operator, I set out to find the office by foot. I headed directly to the address listed in the phone book, a mid-Manhattan address. There, a sign on the directory told me of the NCRRC's move

around the corner. I, too, moved around the corner, only to find this second office deserted. The only suggestion of previous inhabitation there was an envelope licked onto the door with a scribbling that the NCRRC had moved once again, this time to lower Manhattan. So, grabbing a subway, I headed south towards Broadway at Union Square. Arriving at the indicated address, I found the doorman had not heard of the NCRRC. Unfortunately, it was not even listed on the building directory. Just as I was ready to give up, the doorman suggested I peek into William Kunstler's office for help. Kunstler, the famed leftist lawyer, maintained an office in that building. But luck had not yet appeared. For no one in Kunstler's office had heard of the NCRRC's move. They then telephoned several flights up to the National Lawyers' Guild also housed in the same building. And then my luck finally hit, or so I thought. The NCRRC was in the building. I finally reached the office, but found it locked and empty. Absolutely frustrated, I shrugged and walked away worried I would never find a Rosenberg committee. Standing at the elevator, I decided to wait a few more minutes. This time I was fortunate. I leaped with joy as I watched a man pull a key from his pocket and open the appropriate door. The Rosenberg committee did exist. Let me add here that the NCRRC had just moved and since that time they have been very helpful.

The NCRRC may have been a momentary adventure in frustration, but it was resolved quickly and successfully. Other people and organizations allowed the frustration to fester for longer periods of time. In a minor way, I felt this with Judge Kaufman, who has long made it his policy not to comment on trials over which he has presided. I wrote to the Judge asking basically two questions: 1) Did he find the claims of Rosenberg supporters that anti-Semitism played a role in the trial and executions placing addi-

tional pressures upon him? and 2) Did he feel the response of the Jewish organizations to these claims was sufficient? In a letter to Dr. S. Andhil Fineberg of the American Jewish Committee dated June 23, 1952, Judge Kaufman essentially answered these questions. He wrote, "I have been disturbed by the completely irrational and baseless propaganda put out by the Committee to Secure Justice for the Rosenbergs. Naturally, by reason of my position, I must remain mute even though the false line is being followed by those responsible for this propaganda gives me great concern as an American and a Jew. . . . It is of course gratifying to see that organizations such as yours and the Anti-Defamation League recognize the propaganda for what it is and are alerting those at whom it is aimed, lest they become dupes."⁹ His law clerk, Max Friedman, responded to me on August 17, 1977, saying that "it has been Judge Kaufman's policy not to comment, in any way, on the trials at which he presided."

In a major way, I encountered frustrations with three major Jewish organizations--the Anti-Defamation League (ADL), the National Jewish Community Relations Advisory Council (NJCRAC), and the American Jewish Committee (AJC). With the help of ADL's national chairman, I received a letter from the Director of ADL's Research and Evaluation Department with enclosures of newspaper articles and published ADL information. I was surprised by two things here: 1) his concern over such public documents expressed in the letter by, "These materials are sent to you with the understanding that they are for your private use in the preparation of your rabbinic thesis. Should your paper, or adaptations thereof, at any time be considered for publication, we would ask that you send us a copy prior to publication so that, insofar as it might pertain to ADL, we would have time to propose any changes we might deem advisable or necessary. We hope this

is agreeable to you."¹⁰ and 2) his later phone acknowledgement that these public documents, outside of three or four minor personal documents which had to remain private, were the full extent of ADL's file on the Rosenberg case. Let me add here, too, that I found my contacts with the ADL a pleasant and helpful experience.

The NJCRAC proved less helpful. I received no substantive response from them. While in New York, I called their offices. I talked with the NJCRAC's Dr. Walter Lurie who had seen my letters which were quite descriptive of my project. He suggested that I write their Director of Information with a prospectus of my thesis and they would try to get back to me. I later found that I had little need to check back with the NJCRAC, after I obtained AJC files.

Obtaining access to these files, though ultimately successful, was a painful experience. I wrote Mr. Milton Himmelfarb, Director of the AJC's Records and Archives requesting such permission after Rabbi A. James Rudin of the Committee's Interreligious Affairs Department indicated by phone that this was the procedure. I indicated to Mr. Himmelfarb on August 2, 1977, that I would be in New York the end of August. I received a response dated August 9 from his secretary telling me that he was out of town until after Labor Day and that no one else in all of the AJC could give permission for access.

Frustrated but undaunted, I still left for New York City. With the help of Rabbi Rudin's secretary, I gained access to the AJC's Blaustein Library. The library staff was hospitable and gracious, even allowing me to use library facilities on a day closed to the public. Miss Horowitz, the head librarian, then put me in contact with Mrs. Ruth Rauch, Mr. Himmelfarb's archival assistant. Mrs. Rauch promised to check the private

records and archives not kept in the library to see if she felt she could allow me to see them. She returned to me excited, yet apologetic, stating that she felt she could not make any decisions about opening those private records because of information they contained. During this time, I interviewed Dr. S. Andhil Fineberg, who had once been Director of Community Service for the AJC and had headed up the AJC's Communism and Rosenberg committees. Dr. Fineberg attempted to get me access to those records and did not succeed. So imagine my surprise to receive a letter a couple of weeks after my return to Cincinnati from Mr. Himmelfarb stating, "many of our documents about the Rosenbergs were written by Dr. Fineberg. If you can obtain his permission, we shall be glad to let you see them."¹¹ Little did I know that my adventure had just begun.

On the morning of September 26, I called Mr. Himmelfarb in New York and he again insisted that no problem existed if I had received Dr. Fineberg's permission. He then told me to talk to Mrs. Helen Ritter, another of his archival assistants. I reached her in the afternoon. She said she had talked to Dr. Fineberg and received his oral permission for me to examine the records. However, she added, such permission would only apply to Dr. Fineberg's papers. Upset, I indicated to her that I understood Mr. Himmelfarb would allow me full access once I obtained Dr. Fineberg's permission. She told me that her understanding was otherwise and that Mr. Himmelfarb had again left on vacation.

A couple of days later, I contacted Rabbi Rudin again. He promised to look into the situation and get back to me--which he promptly did. He indicated that I would be receiving a call from Mrs. Ritter allowing me full access with the warning that Mr. Himmelfarb remains an ardent anti-Communist so I should tread carefully. Late that day, I got in touch with

Mrs. Ritter. This time she had another difficulty. She needed more than Dr. Fineberg's oral permission. He had now arranged to come in the following week to read through the private records to determine what papers I could see and what papers I could not see.

The month changed to October before I heard from Mrs. Rauch again. Full permission had been granted and she mailed a letter to that effect. We set a date for my return trip to New York. I returned and was given a royal treatment by the Records and Archives staff. Both Mmes. Rauch and Ritter offered me every courtesy and kindness they could. I greatly appreciate their hospitality and efforts during my second visit. But I did implore Mrs. Rauch for one more favor. "Had any documents been withheld from me?" I asked. She admitted that a very few had.

The Rosenberg case took place a quarter of a century ago. Although many people are trying to force a reopening of the case, records of Jewish activities at that time would not seem to make any difference one way or the other now. Yet in my adventures, I detected some confusion, fears, and problems remaining to this day.

The Organizational Response: An Introduction to Chapters II, III, and IV

To understand the Jewish response, we must first understand that there is no one Jewish response. There are numerous and varied Jewish reactions to the case. Organizations also responded in different ways. In an attempt to get a spectrum of opinions and reactions, I chose representative reactions of the Jewish right, of the Jewish left, and of the Jewish center.

I had hoped to use the American Council for Judaism as representative of the more conservative Jewish response on the right. However, the American Council for Judaism informed me that the Rosenberg case did not come under its purview. Then, during my research, I found a much better representative of the right--the American Jewish League Against Communism (AJLAC). The AJLAC, although not well known, serves as a much more appropriate model of the right. It was born of the decade following World War II and has remained in existence, in one form or another, ever since.

The Jewish left presented a different type of problem. Few truly leftist organizations existed, among them the Jewish Peace Fellowship and the Jewish People's Fraternal Order. The Jewish Peace Fellowship is unique unto itself and might better be classified as a pacifist organization rather than a leftist one. The Jewish People's Fraternal Order, noted in the 40's and 50's as a Jewish Communist group, was having serious survival problems. So, in place of a Jewish organization, I chose the position of the periodical Jewish Life (now Jewish Currents) and its staff to represent the Jewish left.

Having found Jewish representative responses on the right and the left, I turned my attention to the larger, all-important center. It is here where the major Jewish organizations are found, particularly the Jewish

defense organizations. These organizations might also be termed the "establishment" Jewish organizations. My research narrowed the bulk of this center response to three groups--the National Community Relations Advisory Council (now called the National Jewish Community Relations Advisory Council), the Anti-Defamation League, and the American Jewish Committee, with the American Jewish Committee being most involved in the case.

I now plan to examine these organizational responses in depth. Clear delineations among these responses are not always possible. For example, the left response and the center response fed off one another. An action by one led to an almost immediate reaction by the other. Thus, the response of the left and the response of the center are closely intertwined. I will try, however, to make some distinctions to better illumine how Jews responded to the crisis of the Rosenberg case.

CHAPTER II
THE JEWISH RIGHT

In 1934, a young rabbi just out of seminary and serving as educational director of Temple Ahavath Sholom in Brooklyn wrote a letter of high praise to Dr. Abraham Cronbach, professor of Social Studies at the Hebrew Union College in Cincinnati. Cronbach was known for his humanistic and pacifist views and the young rabbi wanted to compliment him on maintaining those views. In his praise, the young rabbi described himself as a Zionist, reformer, modernist, pacifist, and believer in social justice who saw some of these same qualities in Cronbach.¹ Less than thirteen years later, however, this young rabbi's tone had changed. In 1947, Cronbach sat on the board of the New York School of Jewish Studies, a school this young rabbi thought was a Communist-front organization. Accusing Cronbach of being essentially a Communist dupe, the rabbi wrote:

Because of the well-known proclivity of Stalinists to use innocent persons like yourself to lure unsuspecting liberals and knowledge-seekers to their precincts, where they will be duly "indoctrinated," I deplore the use of your title and position, and regret that you did not disavow the "School." If it were frankly Communist, that would be a somewhat different matter. But the trick in these "front" set-ups is to pose as something else, with Party members directing the show.

This opinion is no personal whim of mine, but is shared by the experts among our people; as any inquiry to Benjamin Epstein, director of the ADL, will show.²

That young rabbi's name was Benjamin Schultz. Schultz was born in Brooklyn in 1906, the oldest of six kids. He attended the Jewish Institute of Religion in New York, the seminary headed by Rabbi Stephen S. Wise.

Upon ordination, Schultz went to Ahavath Sholom which he left in 1935 to become rabbi at Temple Emanuel in Yonkers. At times he would write a column for the National Jewish Post. And after the war, Schultz began to develop into the most vocal Jewish anti-Communist in the country.

Schultz's big break came in 1947 when the New York World-Telegram ran three consecutive articles by him exposing the infiltration of Communists into the three major religious groups in America. In his articles, Schultz talked about certain individuals, organizations, and institutions in Catholic, Protestant, and Jewish circles as Communists, Communist dupes, or Communist sympathizers. Among the names mentioned was that of Rabbi Stephen S. Wise. This was too much for the New York Board of Rabbis. The Board threatened to condemn or expell Schultz stating:

He has used the 'smear technique' of the scandal monger, a technique entirely inappropriate for a rabbi . . .

We hope that Rabbi Schultz will see the error of his actions and will publically and promptly apologize to those whom he has wronged, and that he will atone for the obvious infraction of the commandment, "Thou shalt not bear false witness against thy neighbor."³

The Central Conference of American Rabbis (CCAR) also considered taking similar action. Even Schultz's own congregation in Yonkers, embarrassed by the situation, wanted to fire him. But Dr. S. Andhil Fineberg of the American Jewish Committee entered the fray.

Schultz had been in touch with Fineberg before the World-Telegram articles appeared. Schultz had wondered about how to handle his identification for the articles. The paper wanted him to list his congregation but Schultz felt this might not be right. Fineberg, although not approving of the articles, suggested Schultz simply state that he was a rabbi of

a Westchester congregation. To this, Schultz agreed. And it was then Fineberg who helped stave off any expulsion by the New York Board of Rabbis or the CCAR. Fineberg, fearful of giving Schultz a public platform or any national attention, felt it better to simply let the affair fade away.

Fineberg approached the congregation in Yonkers with these same feelings. The congregation wanted to fire Schultz immediately, breaking his contract. So Fineberg worked with conservative Hearst columnist George Sokolsky to prevent the firing of Schultz. Sokolsky told the congregation that he would carry a column on the whole situation saying essentially "if you do that act [the firing of Schultz] and deprive Rabbi Schultz of his pulpit, it will be interpreted throughout America that you are pro-Communist."⁴ Rabbi Schultz was allowed to keep his job until his contract expired.

Fineberg maintains that he wanted Schultz to have a pulpit to provide him a livelihood. Fineberg was fearful that, without a pulpit, Schultz would begin a crusade against Communism allowing people to think that rabbis did not crusade against Communism because they were pro-Communist.⁵ In spite of Fineberg's efforts, Schultz was soon to embark on such a crusade against Communism. He resigned from Temple Emanuel on November 11, 1947, and by February of the following year he was planning his crusade.

In February, Schultz met with Isaac Don Levine, an acquaintance of Eugene Lyons of Reader's Digest, to talk about an idea which Lyons had worked on for years. Lyons had long thought of an organization of Jews to fight Communism. He had shared this idea with Levine and several other people including Alfred Kohlberg, Ralph de Toledena, Benjamin Stalberg, George Sokolsky, Victor Lasky, and Rabbi David Savitz. All were interested in such an organization. Thus, after talks with Schultz, the Amer-

ican Jewish League against Communism (AJLAC) was incorporated on February 11, 1948, and publicly announced on March 15. With its announcement, the AJLAC stated its goal--to ferret out all Communist activity in Jewish life wherever it may be found.⁶ The AJLAC was to grow to a membership of some 300 to 400 Jews⁷ with 51 sponsoring organizations.⁸

Thus, the AJLAC came into existence not long before the Rosenberg arrests were announced. Although Rabbi Schultz today remembers that "there was no organizational action by the AJLAC in the Rosenberg case,"⁹ current head of the AJLAC Roy Cohn admits "that because of the fact the Rosenbergs were Jewish there was more of a responsibility on organizations such as the League, in rebutting the proposition 'All Jews are sympathetic to Communism.' We pointed up the strong anti-Communist stands of George Sokolsky, Eugene Lyons, Bernard Baruch, etc., and thus attempted to fight this stereotype."¹⁰ Schultz seems to agree, writing, ". . . as individuals we let our sentiments be known. We all knew Judge Kaufman, Irving Saypol, Roy Cohn, etc. I wrote on the subject. I do not know the date of a prominently displayed piece on the editorial page of the New York Journal-American [sic] (by me). It had my byline. It was called 'Mercy for America,' and was really an answer to the 'mercy for the Rosenbergs' argument."¹¹

The AJLAC did make its position known. In its bulletin entitled Jews Against Communism, the AJLAC often ran an article with the top half of a page devoted to "Rabbis on the Alert . . ." and the bottom half of that same page devoted to ". . . and Rabbis Who are Not." Obviously, those few rabbis supporting Rosenberg appeals for clemency were not on the alert while rabbis supporting the sentence were on the alert.

Yet the timing of the AJLAC often seemed off. Its Spring 1954 bulletin talked of one rabbi considered on the alert. The bulletin quoted Rabbi William F. Rosenblum of New York's Temple Israel from newspaper articles regarding a sermon he gave about the Rosenbergs' sentence. Rosenblum was considered on the alert by saying:

However, equally guilty with these atomic spies, though they are rarely brought before the courts, are the men in the arts, science, and even the clergy who are constantly making appeals for appeasement of those foreign nations . . . waiting . . . to unloose their weapons against us.

Commending Judge Kaufman's sentence, Rosenblum continued:

And yet we find again and again the names of prominent Americans including the clergy being used on lists of sponsors [of fronts]. I realize many of them are not Communists, but often I find it hard to excuse their ignorance of the real background of the so-called 'peace' organizations. . . . Those of the clergy and the literary-entertainment fields serve no just cause when they [serve] Communist peace fronts.

He concluded by asking how a clergyman could defend the Soviets when Communism was atheistic.¹² The problem with timing here was that the AJLAC took these quotes from the New York Times of April 8, 1951, and the New York Journal-American of April 10, 1951, immediately after Judge Kaufman announced the sentence.

As Schultz stated, he did make his own position known along with that of the AJLAC. In an article about him on June 19, 1953, in the National Jewish Post, he calls Albert Einstein--who had supported clemency for the Rosenbergs--a refugee with gall. Though stating that he does not like to see two people die, he notes that Judge Kaufman and his family had been threatened and asks for some mercy for the Judge, calling him a good American and a good Jew.¹³

Perhaps Schultz best sums up his position and that of the AJLAC in another letter to Professor Cronbach of the Hebrew Union College.

On October 28, 1952, Schultz wrote:

The quality of mercy must never deteriorate to a point where it becomes non-resistance to a death-dealing enemy. . . . To despise treason and to deal sternly with it, have ever been attributes of a healthy society. . . . Soviet Communism is also atheistic and anti-Jewish. Hence, the Rosenberg case is not a "Jewish" issue in the sense that Jews are being molested. It is obliquely a "Jewish" issue in two ways--that both anti-Semites and Communists have seized upon the name "Rosenberg," and that the Rosenbergs have demonstrably done harm to those who are really Jews.¹⁴

Though Schultz proudly announced that "My pulpit is 220 West 42nd Street in New York [the offices of the AJLAC] and my congregation is America,"¹⁵ he and the AJLAC were considered outcasts by the established Jewish organizations. He and the AJLAC were denounced by the NCRAC on January 30, 1951, for making slurs upon Defense Secretary Marshall and Fleet Admiral Nimitz. And although the League and Schultz made several valid early criticisms of Soviet anti-Semitism, all too often they got lost in false accusations and insinuations.

Rabbi Benjamin Schultz and the American Jewish League Against Communism waxed strong during the decade following World War II. In the Fineberg papers of the American Jewish Archives is a confidential memorandum which best sums up how Schultz and the League grew strong and why Jewish organizations stayed away. It states that Schultz "has tied a coterie of fanatically anti-Communist Jews with the worst methods of combatting Communism." It then continues, "The fact that Jews have an anti-Communist organization while a counterpart does not exist for Protestants or Catholics might well lend credence to suspicion of Jewish radicalism requiring this offsetting organization."¹⁶

CHAPTER III.
THE JEWISH LEFT

The Rosenbergs as Jews

In his sermon at New York's prestigious Central Synagogue* following the execution of the Rosenbergs, Rabbi David J. Seligson stated, "the Rosenbergs were unfortunately the product of a home atmosphere without religious influence, the children of a lost generation. They had no connection with . . . Judaism."¹ Rabbi Seligson may well have been angry with the Rosenbergs, upset at the attention they brought as Jews. But in these quoted words, he was blatantly wrong.

Harry Rosenberg arrived in this country in 1902 from Russia. He and his wife Sophie had five children, Julius being the youngest. During his years in public school, Julius also attended the Downtown Talmud Torah. He graduated from the Talmud Torah with highest honors. While attending Seward Park High School, he was elected vice-president of the Young Men's Synagogue Organization. Reportedly, at times, he even considered pursuing a rabbinical career.² What led him away from this career can only be a matter of speculation. Two authors have suggested that Julius Rosenberg's study of the Tom Mooney case led him away from organized Judaism.³ Michael Meeropol has suggested that Julius' turning away came when he unsuccessfully tried to enlist the aid of several rabbis in the Scottsboro case.⁴

Ethel Greenglass came from the same Lower East Side environment as her future husband. A very talented girl, especially as a singer, she did

*According to the New York Post of 4/5/51, this was also Prosecutor Irving Saypol's congregation.

not receive the same formal religious training as did her husband. Yet both retained their positive feelings about their religion beyond their wedding into their months in prison.

The Rosenbergs' prison letters indicate these positive feelings, even towards the religious services conducted by Sing Sing's Jewish chaplain, Rabbi Irving Koslowe. During the trial, Julius Rosenberg had verbalized his hatred for Hitler while indicating some emotion about the Soviet Union. He testified that "they [the Soviet Union] contributed a major share in destroying the Hitler beast who killed six million of my co-religionists and I feel emotional about that thing."⁵ The letters show this continued concern for fellow Jews and portray the Rosenbergs as deriving meaning, often political, from Jewish history and culture.

Many Jews were critical of the Rosenbergs' claims of Judaism. Some felt they simply adopted this Jewish identity as a defense expedient. Robert Warshaw charged that they took up the Jewish pose as they could that of "Protestantism, Catholicism, or Ghandiism."⁶ Dr. Fineberg originally rejected their claims writing, "It happens that the Rosenbergs were born in Jewish families. They were renegades who abandoned their religion."⁷ Fineberg later did moderate this view writing, "The Rosenbergs had long neglected any contact or connection with Jewish religious, educational, or social organizations. Their complete loyalties lay elsewhere. If in their last days they found consolation in religion, none but an atheist would begrudge them this return to grace."⁸

Shaky as the Rosenbergs' Jewish identity might seem to many, the Rosenbergs were representative of a certain type of Jew. The Rosenbergs were leftists, probably Communists. To many Jews of a similar

political orientation, the Rosenbergs were quite symbolic. In his autobiography, Jonah Raskin talks of some of these Jews--his own family:

I believed the Rosenbergs, like us, were not guilty as Red spies, but I believed they, like us, were guilty for being radicals. They insisted that they were on trial for their political beliefs, that Communism wasn't the real issue, and yet to me it was. They were simultaneously guilty and innocent, as we were simultaneously guilty and innocent. The Rosenbergs denied that they were Communists, and yet were executed as Communists.

. . . whatever lies we made up to tell . . . were insignificant when compared with the lies and deceptions the U.S. government offered about the Rosenbergs. To charge them with stealing A-bomb secrets was a cosmic lie. The notion that American citizens, an ordinary couple from the Lower East Side, would work for the Soviet Union was a cruel joke . . .

. . . the Rosenbergs were tried . . . for their beliefs. And our beliefs were like their beliefs. . . . Like them we sang Leadbelly's and Pete Seeger's songs like "The Peat Bog Soldiers," which was written in Germany by Jewish radicals like us whom the Nazis wanted to exterminate. . . . Like the Rosenbergs we rooted for the Brooklyn Dodgers, and our favorite player was Jackie Robinson. Like the Rosenbergs we read the Declaration of Independence and posted it on the wall. . . . My father, like Michael Rosenberg's father, had protested the treatment of the Scottsboro Boys. Both were students in New York in the 1930's and had listened to soap box speakers, gone to rallies. [They] spoke of the Jewish history of resistance and rebellion: the release from bondage in Egypt, the long march from captivity and slavery to freedom in Israel.

. . . [my father] said that it wasn't important whether or not we were Communists, for the crucial point was that we believed in human dignity and self-respect.⁹

Perhaps, as Joel Rosenberg (a young American writer and former Hebrew Union College rabbinical student, no relation to Ethel and Julius Rosenberg) writes, some Jews even felt that America "was atoning for its pro-Soviet sins by means of a Jewish sacrifice."¹⁰ These were the Jews, not unlike the Rosenbergs, who were to constitute much of the left response and the bulk of the Jewish left response.

The Beginnings of a General Left Response

Before examining the particular response of the Jewish left as

represented by Jewish Life, we need to look at the response of the left in general to understand where and how criticisms of the Rosenberg trial, convictions, and executions began. Such criticisms rarely arose from the right or from the center but from the left. Yet even the left, at first, maintained a surprising silence on the case. The Communist Daily Worker paid no attention to the case until the convictions were announced. On March 30, 1951, the Worker ran a three-sentence story reporting the convictions.¹¹ And then, except for a brief story on the sentences, the Worker lapsed back into silence.

Four quiet months later, a periodical called the National Guardian broke the silence by announcing a series of articles to bring the case into question saying that there were "strong grounds for suspecting they [the Rosenbergs] are victims of an all-out political frame-up."¹² Entitled "The Rosenberg Conviction: Is This the Dreyfus Case of Cold War America?" by special correspondent William A. Reuben, the series ran in seven weekly articles. The silence had ended.

The National Guardian has been variously described by several observers. Lucy Dawidowicz called it "fellow-traveling,"¹³ Root called it pro-Communist,¹⁴ and Morris Schappes of Jewish Life said it was edited by non-Communist Party radicals. The National Guardian's own label of a "progressive newsweekly" indicated this leftist-radical bent. Yet the magazine carried enough of an impact to break the silence.

Reuben made several claims in the series attempting to expose the evidence and portray David Greenglass as a liar. He also made certain analogies--in the title to the Dreyfus Case and in the text to the annihilation of Jews, the working class movement, and progressive thinkers in Nazi Germany. Finally, Reuben made a passing reference to the make-up of the jury. He noted that no Jew sat on the jury in spite of the large

number of Jews in New York City.

The series generated a large volume of mail, much of it sympathetic to the Rosenbergs. The National Guardian maintained that this reaction led it to announce the formation of a "National Committee to Secure Justice in the Rosenberg Case (NCSJRC)." (Others have maintained that the magazine had planned to create the committee all along.) Thus, in October and November of 1951, under the leadership of Reuben, David Alman, and Joseph Brainin,¹⁵ the NCSJRC took shape. The organized response of the left had begun.

The Left Raises a Jewish Issue

Lucy Dawidowicz noted at the time that what she called the Communist reaction (and what I less emotionally call the left response) might never have exceeded the short stories in the Daily Worker had not the anti-Communist Yiddish press responded negatively to the death sentences.¹⁶ The editors of the Jewish Daily Forward, for example, wrote on April 6, 1951, "When we editors got the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us. . . . We are certain that every Jew who read this sad news felt this way. From our hearts came the words, 'Death sentence too horrible. . . .' Every Jewish home will be shattered by this tragedy."¹⁷ Six days later, M. Danzis, editor of Jewish Day, wrote:

. . . The fact is that the Rosenberg trial was Jewish throughout because of the fact that the accused, the judge, the prosecutor, and the lawyer were all Jewish. The press made a point of it. In Hearst's Daily Mirror, there was an editorial saying that those who do not wish to accuse all Jews of Communism because of the Rosenbergs, should not forget that the prosecutor who conducted the trial against the Rosenbergs and the judge who condemned them to death, are themselves Jewish. In other words, that Judge Kaufman and prosecutor Saypol are atoning not only for the sins of the Rosenbergs, but for all other Jews.

The death sentence which Judge Kaufman issued left the feeling that precisely because he is a Jew, he went to an extreme and applied the heavy hand of judgment. . . . There is a suspicion that the fact that Judge Kaufman is a Jew, perhaps unconsciously motivated him to issue a verdict which, in the opinion of many, is considered to be unjust, brutal. . . . One cannot overlook the Jewish element in the unfortunate, tragic Rosenberg trial. . . . if the Rosenbergs are, as Judge Kaufman has said, guilty of the deaths of 50,000 American soldiers in Korea, one can easily hold the Rosenbergs and their like responsible for the atom war against America. Has Judge Kaufman considered to what his speech can lead?¹⁸

The Yiddish press was to continue its opposition to the death sentences right up to the executions. Dawidowicz's statement that the Communist reaction might have been nil had not the Yiddish press responded so negatively contained some truth. The Yiddish press reaction did allow Rosenberg supporters to develop a Jewish issue. However, as a NCSJRC press release on August 17, 1952, stressed, the National Committee never based its arguments for a new trial on the primacy of the Jewish aspects of the case.

The NCSJRC eventually developed several Jewish aspects of the case, centering in on two: 1) that, as Reuben had earlier hinted, Jews were purposely kept off of the jury and 2) that, as hinted in the Yiddish press, Judge Kaufman was unusually harsh in sentencing because he was Jewish. The NCSJRC did not seem concerned about the contradictory nature of these claims, i.e., that a Jewish juror could be as harsh as the Judge himself.¹⁹ Both seemed to have some basis in reality and both appealed to people's emotions. Because of this impact, these claims ran through much of the literature put out by the NCSJRC.

Yet other Jewish aspects were also noted. In an August 17, 1952, NCSJRC press release, the National Committee pointed to what it called several anti-Semitic implications of the Rosenberg case. The National Committee noted a government announcement about Oak Ridge, Tennessee, which

seemed to connect an absence of Communists with a predominance of Anglo-Saxon stock. The National Committee also noted the case of eight New York City teachers suspended for refusing to deny Communist Party membership and who happened to be Jewish. The National Committee also commented upon the ordered dissolution of the Jewish People's Fraternal Order. The National Committee even mentioned problems Anna Rosenberg was encountering because of her last name in her appointment to a high post in the Department of Defense. Closer to the Rosenberg case, the NCSJRC mentioned the relative leniency of the sentences received by Nazi spies and officials compared to the Rosenberg sentences. Finally, the NCSJRC noted a United States Court of Appeals reversal of another trial prosecuted by Saypol involving a Jew. In its opinion, the Court stated, "We wish to . . . admonish counsel for the prosecution that in case of a retrial there should be no repetition of the cross-examination attack upon defense witness Redmont's change of name. . . . On cross-examination the prosecutor continued his inquiry of this matter long after it became clear that the change of name had no relevancy to any issue at the trial and could only serve to arouse possible racial prejudice on the part of the jury."²⁰

Adding emotional fire to these claims was the Civil Rights Congress,²¹ noted in the fifties as a Communist-leaning organization. Calling the Rosenberg case one aspect of growing American anti-Semitism, executive secretary William L. Patterson declared, "The lynching of these two innocent American Jews, unless stopped by the American people, will serve as a signal for a wave of Hitler-like genocidal attacks against the Jewish people throughout the United States . . ."²² A later NCSJRC publication, a revision of Reuben's National Guardian series, noted an increase in bombings and desecrations of synagogues.

The NCSJRC publications covered many other areas far beyond the

Jewish aspects of the case. The National Committee released stories on Christian supporters of the Rosenbergs, clergy (Jewish and Christian) supporters of the Rosenbergs, world protests against the death sentences, sympathetic newspaper editorials, even a reprint of the trial transcript. The National Committee put out a large amount of legal documents and petitions to help its drive for appeal and/or clemency. Yet the National Committee did appreciate whatever Jewish religious support it could receive. One relatively unknown Orthodox rabbi, a Dr. Meyer Sharff, upset about the death sentences, wrote a short tract for the National Committee which the Committee published as A Statement on the Rosenberg Case by a Distinguished Leader of Orthodox Jewry. And the NCSJRC would, at times, put to use various Jewish customs. The Los Angeles branch published a special book for the Rosenbergs and compared its efforts to a custom in European Jewish communities wherein a book of blank pages was made up for a gravely ill young person. The book was then carried throughout the community with the question "Will you give an hour from the end of your life that God may add it to this poor life which is about to expire untimely?" The Los Angeles branch simply asked for its book, "Will you give a few dollars to buy space in this book and help save the Rosenbergs?"²³

Later on, the Jewish establishment was to declare any Jewish issue in the Rosenberg case a false issue created by Rosenberg supporters. This was not the view of many of the Rosenberg supporters on the left nor of Julius Rosenberg himself. He wrote:

It has been heralded by our enemies that we claim we were convicted because we were Jews and that we are raising a false issue of anti-Semitism to win support for our cause . . . it is crystal clear that we never said nor intimated that we were selected out and convicted because we were Jews. . . . The first and basic charges of anti-Semitism appeared in the anti-Communist Yiddish press. . . . Therefore, the Rosenberg committee did not create this issue or first note anti-Semitism in the case. They only brought to public knowledge the existence of these statements

and pointed out the appearance of anti-Semitic . . . literature about the Rosenbergs as "Jew-Communist-atom spy."²⁴

The Jewish issue had been raised.

Appeals to Jews

Using what it perceived as the Jewish aspects of the case, the NCSJRC set out to recruit Jews of national prominence as sponsors and to gain many other Jews as supporters. The NCSJRC was particularly interested in rabbis. A form letter sent by Chairman Brainin to rabbis made a typical appeal.²⁵ Brainin tried to interest the rabbis in the case by noting that the judge, a Jew, had "publicly injected his affiliation with the synagogue into the matter and thus made it appear that in dealing out death he acted in accordance with the tenets of the Jewish religious concept of justice."²⁶ Brainin also mentioned several of the claims of anti-Semitism listed above and enclosed copies of favorable articles from the Yiddish and Anglo-Jewish press.

The appeal to prominent Jews never proved successful. On a national level, only Rabbi Abraham Cronbach of the Hebrew Union College allowed his name to be listed as one of the sponsors of the NCSJRC. Later on in the campaign, several others were to add their names in appeals for clemency. But these were in response to the impending executions.

The NCSJRC was more successful in generating some grass roots support among certain Jewish populations. New York Post columnist Max Lerner described a Brooklyn meeting of the NCSJRC on June 19, 1952. Noting that he was fed up with the legend that the American government was anti-Semitic "and with the efforts of the Communist clique to exploit the fears and sensitivities of American Jews," Lerner attempted to explain how the Rosenberg supporters appealed to Jews at this meeting in Flatbush.

Lerner, opposed to the death penalty for the Rosenbergs yet greatly upset by the NCSJRC's campaign, explained the appeal after he summed up a talk given by Rabbi Sharff. Lerner wrote:

I looked around the room, and what I saw were vultures and victims. The vultures were the half-pint commissars exploiting the emotions of the unsuspecting Jews. The victims were the group of lower middle class men and women huddled together in anxiety. I kept thinking of the little orthodox rabbi. . . . I think it was because he had dwelt so long over the memory of the centuries of scars his people had suffered. Even in a free America it is a hard thing to erase the memory of those scars. That is why it is so unforgivable for the Communists to keep spreading the lie about the Rosenberg case.

Criticisms of the Left

Lerner touched upon one of the two basic criticisms made against the left response--that the whole response was orchestrated by the Communist party here in America and in Moscow. Without showing any connection, Lerner simply stated that "the Communists" were spreading the lie about the Rosenberg case.²⁷ Dawidowicz, too, made this assumption as indicated in the subtitle of her article, "The Latest Communist Propaganda Trap."²⁸ The other criticism leveled against the left concerned that long period of silence during and after the trial before any complaints about the Rosenberg case arose from the left. In combination, these provided substantial ammunition against the left.

On the surface, the official Communist Party seemed to have little concern for the case. The Daily Worker barely covered it. Publicly, Moscow paid it no attention until June of 1953. Today, it seems rather odd (if not to say also unkind) for the Communist Party to ignore the two alleged spies who helped Russia obtain the secret of the atom bomb. Yet those who wanted to minimize the negative reaction to the sentences and many of those who were fully convinced of the Rosenberg's guilt strongly felt Communists were behind any leftist response. They cited the lateness

of the left response as proof. The Communists maintained silence until they were sure that the Rosenbergs would not confess or talk. Then, so this line of reasoning goes, they orchestrated a world-wide campaign to gain clemency for the Rosenbergs. If they succeeded, they could point out that the United States government succumbed to pressure. If they failed, they could make sure the Rosenbergs became martyrs. Additionally, so this line of reasoning continues, the Communists planned to increase world-wide protests just as blatant anti-Semitism began to rise in Communist Eastern Europe and Russia. In other words, the Communists planned to use the Rosenberg case as a smoke screen for their own anti-Semitic activities. Finally, to make as close a connection as possible, many pointed out that those groups or individuals supporting the Rosenbergs crossed paths with definite Communist activities.

Each of these criticisms held some validity. True, a large number of the groups and individuals supporting the Rosenbergs had long leftist histories which often brushed up against or joined Communist activities. Abraham Cronbach knew this when he lent his support. Writing Max Lerner, Cronbach explained that he wished a more respectable group of people existed but unfortunately none had spoken up. So he lent his support where he could.²⁹ Morris Schappes, the only Communist Cronbach said he knew, stresses today that it was non-party radicals who raised the case for the public as an issue of injustice.

Schappes, at the time of the Rosenberg case an editor of Jewish Life and currently of its successor Jewish Currents, explains today that the Communist Party kept as far away from the Rosenbergs as possible. Schappes remembers being told at the time of a discussion among the Communist defendants of the Smith Act trial³⁰ as to whether or not they should issue a statement repudiating all possible association with the

Rosenbergs. They were afraid that while being tried for subversion, they would also be smeared with some association with the Rosenbergs. Though the statement never came to fruition, Schappes feels it important to point out that the support of the Rosenbergs was organized "outside of the scope of influence of the Communist Party."³¹

Schappes explains the lateness of the left response by saying, "We probably were as much intimidated as was the leadership of the Communist Party." Sympathy for the Rosenbergs existed but "without some organizational center there couldn't be anything except sighing and groaning. And that's why the Guardian, when Reuben came to it and however it happened . . . then latent sympathy was transformed into a sense of outrage and the intimidation of the McCarthyite atmosphere was then confronted with our desire to see justice done."³²

After the formation of the NCSJRC and the involvement of many people, the Communist Party climbed onto the bandwagon. But Schappes seems to feel that the Communist Party was far from orchestrating the response. If anything, many people on the left deplored the Party's lack of response and worked hard to overcome the delay caused by the intimidation of the times.

The Jewish Left as Seen Through "Jewish Life"

Morris Schappes had long been a Communist, always concerned with giving radicals of Jewish background a good Jewish education. He had been vocal in establishing and overseeing the New York School of Jewish Studies (later the Jefferson School). During the Rosenberg case, he served on the editorial board of Jewish Life, the most radical of Jewish periodicals in America.

Jewish Life first appeared in November of 1946 as a monthly

outgrowth of the Communist Yiddish daily Freiheit.³³ Schappes maintains, "Our magazine wasn't an official organ of the Communist Party, but its editors were Communists." It was tied into the Communist orbit. As did many organizations on the left, Jewish Life almost ignored the Rosenberg case at first, running only a short article in May, 1951. Nothing appeared in the magazine then until November, 1951. Why did Jewish Life wait so long? Was it taking orders from the Communist Party? "Not on this," answers Morris Schappes to the second question while explaining how intimidated the staff felt in the beginning in answer to the first question. Eventually, Jewish Life responded to the Rosenberg case because the Rosenbergs were Jewish. Had they been black, Jewish Life might also have responded. But, as in the Alger Hiss case, Jewish Life would not have responded had the Rosenbergs been non-Jewish and non-black.³⁴

Jewish Life made its first big break of the silence in November and December 1951 with a two-part condensation of Reuben's National Guardian series. Louis Harap, managing editor of the magazine, made an even larger break to begin 1952. In an article entitled "Anti-Semitism and the Rosenbergs," Harap, according to HUAC, launched full-blown the anti-Semitic "canard."³⁵ Harap staunchly maintained that it was not accidental that no Jew sat on the jury and that the judge and prosecutor were also Jewish. The government wanted to preclude a charge of anti-Semitism in meting out death sentences. "Judge Kaufman wanted to convince those who would make anti-Semitic capital out of the fact that some alleged atom spies were Jewish by showing them that Jews were also 150 per cent American."³⁶

Harap broadened his attack to include the Jewish center. "Judge Kaufman's thinking is here similar to that of many frightened Jews of

the American Jewish Committee and of the upper middle class who try to combat the 'Jew-Communist' stereotype by joining vociferously in the chorus of Red-baiting."³⁷ Harap threw in the word Judenrat, the word used to describe the councils of Jews who were set up by and cooperated with Nazi authorities during the holocaust. Harap hinted that Kaufman's behavior was along the lines of Judenrat behavior. Harap then concluded, "To fight to reverse the death sentence against the Rosenbergs is to fight against the anti-Semitic implications of the whole affair."³⁸

Jewish Life kept the Rosenberg case alive each month. Its next big story, in April, carried Harap's hint of a Judenrat further. Jack Greenstein, in an article entitled "Rise of an American Judenrat," offered evidence that the Jewish defense organizations were cooperating with McCarthy and gang to establish a Judenrat prepared to serve American fascism. The evidence offered by Greenstein--an ADL meeting with McCarthy, ADL-caused cancellations of Rosenberg events, an American Jewish Committee plot to spread the lie of Soviet anti-Semitism--had some basis in reality and is covered later in this work (Chapter V). Suffice to say here that Greenstein interpreted the evidence for his needs and used some rather exaggerated language.

The next major article appeared in the July issue, again under Harap's by-line. Entitled "A Case of Blackmail," Harap accused the Jewish defense organizations of manifesting "no public interest in the case until it became evident that the American people, and especially the Jewish community, were waking up to the implications of the case."³⁹ The blackmail Harap saw was on the part of the Jewish defense organizations which:

- 1) were blackmailing the Jewish community into silence on the Rosenberg case by the false charge that the Communists had injected anti-Semitism

and 2) were trying to head off protests of non-Jews awakened by the anti-Semitism.

The charges of anti-Semitism continued unabated during the Slansky trial at the end of 1952. Of fourteen leading Czechoslovak Communist Party members prosecuted for conspiracy against the state, eleven were Jews. The prosecution's case was blatantly anti-Zionistic and anti-Semitism seemed clearly the leading factor in the case.⁴⁰ Jewish Life continued to scream about anti-Semitism in the Rosenberg case, fully blind to the anti-Semitic implications of the Slansky trial. Harap, in his article "The Truth about the Prague Trial," asked (in all seriousness) how anti-Semitism could exist in Czechoslovakia when the Czech minister of justice was a Jew. No one asked Harap the same about Judge Kaufman.

Jewish Life continued to run appeals for the Rosenbergs until the executions. Following the executions, Jewish Life devoted the bulk of its August issue to the Rosenbergs calling it "The Legacy of the Rosenbergs." The August issue repeated some of the earlier anti-Semitic charges, for example: no Jews on the jury, the harshness of the judge and the prosecutor, the Judenrat and the massive grass roots support for the Rosenbergs it attempted to suppress. It stressed again that had Jews not been involved, the death sentences would not have been meted out. And Jewish Life took pride in feeling that it helped raise the Jewish issue early on in the case.

Jewish Life was to continue its campaign beyond the executions and their impact. The charges it made remained the same. At times, it offered valid retorts to charges made against it. For example, in response to charges that those who supported clemency for the Rosenbergs were Communist dupes, Harap was to point out that there were a lot of Communist dupes running around, including the Pope himself (who issued an appeal of sorts).

An expansion of this post-execution response appears later in this work.

Morris Schappes elaborates the Jewish left response. He saw the Jewish issue in the case as a sociologist and felt that everyone would be thinking "What effect will it have on the Jews?" To this day, he maintains that Jews were excluded from the jury and that the judge and prosecutor were unusually harsh because of their Judaism. In response to my question as to why Rosenberg and Sobell lawyers never raised the issue of a Jew on the jury, Schappes says that many Jewish left-wing lawyers were assimilationists. Among Orthodox Jews, he continues, no one questioned that the Rosenbergs were being bothered because they were Jews. Schappes says that Orthodox Jews felt that a Jew who faced a general court could not get justice. Reform Jews, he adds, would not have viewed the situation in this way. But most importantly, he states, were the radical Jews who searched for the Jewish issue. If you do not search, he stresses, you cannot find.⁴¹

The Jewish Peace Fellowship and the Strange yet Brave Figure of Abraham Cronbach

Before we leave the Jewish left response, we need to examine one unique individual. He helped found the Jewish Peace Fellowship (JPF) which was seen by many at the time of the Rosenberg case as a leftist organization. But the founders and members of the JPF did not see it that way. They felt they created and belonged to an organization which tried to derive inspiration from Jewish experience for a nonviolent way of life. The JPF was meant to be a pacifist organization and the unique individual involved in the founding was Rabbi Abraham Cronbach, professor of Jewish Social Studies at the Hebrew Union College in Cincinnati.

Rabbi Isidor Hoffman writes of Cronbach and the JPF:

Anything relating to Dr. Cronbach is of special interest to us in the JPF for he was one of our founders and an inspiration to many of us. However, many in the leadership of JPF in the days of the Rosenberg case disagreed with him. We felt that the Rosenbergs were being used by Communists in this country and elsewhere for their purposes and the chief result of activity on their behalf would be to strengthen Communism.

We were and are opposed to capital punishment but felt that our efforts in regard to it should not focus on a case so clearly instigated mainly by Communists and fellow traveler organizations. Partly as a result of our non-participation in the capital punishment aspect of the Rosenberg case some of us did redouble our efforts in fighting capital punishment.⁴²

Cronbach, however, did get involved in the case, in spite of a heated argument at Grand Central Station in New York with JPF people regarding support for the Rosenbergs.⁴³

As stated earlier, Cronbach was the only national Jewish religious figure who gave full support to the NCSJRC. He became a sponsor of the NCSJRC, appeared at several meetings (including the one Lerner commented upon), wrote countless letters, authored a pamphlet published by the NCSJRC, stood with Sophie Rosenberg and the two sons at a Rosenberg rally in front of the White House to lead the demonstrating crowd in prayer, met with President Eisenhower and other clergy to appeal for clemency, and in the end gave the eulogy for the Rosenbergs at the funeral home in Brooklyn following the executions. Morris Schappes recognized Cronbach's importance to the Rosenberg campaign. He said, "The appearance of Cronbach was a great force to release many middle-class liberal Jews from their fears that they should not get involved in the case."⁴⁴

Cronbach became a sponsor of the NCSJRC in April of 1952.⁴⁵ Perhaps it was his contact through his former colleague's son-in-law, Joseph Brainin, which led him to involvement. More likely, however, it was through the intervention of a young University of Cincinnati instructor who interested him in the case.⁴⁶ Cronbach was repelled by the use of capital

punishment, especially in the case of a woman. He also saw a dilemma in the case, about which he wrote after the executions:

I believed the punishment to be excessive even if the Rosenbergs were guilty. The Rosenbergs were, in fact, not executed for espionage. They were executed for refusing to confess espionage. Had they confessed, they would have been saved from death. They insisted to the end that confession was impossible because there was nothing for them to confess. Had the Rosenbergs been guilty, they would have been fortunate: they needed only to confess, and their sentence would have been commuted to imprisonment. Unfortunately, they were innocent and, for that reason, they had to perish . . . this . . . could have been the case.⁴⁷

While allowing that there might be something to the view that a non-Jewish judge would have been more lenient, Cronbach could not agree with those who found anti-Semitism in the case.⁴⁸ But such did not stop him from writing Judge Kaufman asking for mercy. He wrote, "Mercy is the very cornerstone of Judaism. Our ancient Rabbis taught 'Whosoever hath mercy on others shall obtain mercy on high,'" and concluded "Aptly does our Bible say, 'He that followeth after mercy findeth life.' I beseech you, Judge, remove the shadow of death from Julius and Ethel Rosenberg."⁴⁹ His pamphlet published by the NCSJRC was entitled Mercy for the Rosenbergs.

In spite of his unique position on the Jewish left, Cronbach did not consider himself a Communist dupe. Responding to Rabbi Sam Silver's questioning, Cronbach wrote:

Were they [the NCSJRC] using me? Yes--as the Community Chest has used me, as the National Federation of Temple Youth has used me, and as the Hebrew Union College has used me. Anyone who enlists and receives my help is "using" me.⁵⁰

In time, Cronbach came to question the guilt of the Rosenbergs although when he entered the campaign he was convinced of their guilt.⁵¹ He was concerned strictly with the saving of two lives. In his own private campaign, he was often at odds with others supporting the

Rosenbergs. Unlike them, Cronbach saw all sides of an issue and gave much credence to the opposition. He defined his own position as that of ethical relativity, i.e., that which to one person symbolizes good symbolizes to another treason. He felt that his opponents were just as sincere and honest about their beliefs and convictions as he was about his. In the Rosenberg eulogy, Cronbach caused a stir among the mourners when he gave credit to the judges and President.

Yet Cronbach perhaps carried this wonderful faith to an unrealistic extreme. In 1956, Cronbach was attacked by the HUAC report Trial by Treason. He survived that crisis although the Cincinnati press took advantage of it (see Chapter V below). Several years passed. Then, in 1963, HUAC had begun to fade. Aubrey Williams asked Cronbach to join a national committee to abolish HUAC. Cronbach declined, writing:

I refer to the fact that the HUAC once made me one of its victims. It named me in a defamatory publication because I had urged a commutation of the death sentence imposed upon the Rosenbergs.

Granting my signature to your project would be, for me, an act of revenge; and I have religious scruples against taking revenge.⁵²

Cronbach was an unusual figure in the Rosenberg affair, representing a unique response--his very own.

CHAPTER IV
THE JEWISH CENTER

The Amorphous Center--An Introduction

We have completed examinations of representative responses of the Jewish right and the Jewish left. These two extremes now need to be placed into relationship with the large Jewish center. To pick a representative response from this large center presents no easy task. For the bulk of Jewish organizations can be found in the center. So which organization best represents this amorphous center, with so many organizations offering all different kinds of programs and activities?

Remembering Greenstein's and Harap's charges against Jewish defense organizations and the upper middle class Jewish establishment narrows down our task. We find that while several organizations responded in one way or another to the Rosenbergs, only three organizations made significant responses--the American Jewish Committee (AJC), the Anti-Defamation League (ADL), and the National Community Relations Advisory Council (NCRAC). All three were and are Jewish defense organizations while the American Jewish Committee--the oldest of the bunch--was long considered the domain of the upper middle class Jewish establishment. It was to be the AJC which made the most significant response to the Rosenberg situation. In fact, so significant was its response that it orchestrated the responses of the other Jewish defense organizations.

The AJC was established in 1906 by the American German Jewish establishment "to prevent the infraction of the civil and religious rights of

Jews in any part of the world."¹ Beginning with the plight of Russian Jewry, the AJC rapidly broadened its concerns. In the 1920's, the AJC fought the Jew-Communist charge spread by the "Protocols of the Elders of Zion" and by Henry Ford's Dearborn Independent. By the 1950's, the AJC was a large operation on guard against all kinds of anti-Jewish activity and working towards better understanding of human relations as seen in the name of its headquarters, the Institute of Human Relations.

The response of the AJC forms the backbone of the response of the Jewish center and occurs in four phases--the first phase up to the Rosenberg arrests, the second phase from the arrests to the executions, the third phase from the executions to the House Committee on Un-American Activities (HUAC) hearings, and the fourth phase of the HUAC hearings themselves. The connecting figure of all four phases is Dr. Solomon Andhil Fineberg.

PHASE I -- From the Beginning of the AJC's Anti-Communism Program to the Rosenberg Arrests

S. Andhil Fineberg

An examination of the response of the AJC must begin with a look at the man who was to guide this response, Dr. S. Andhil Fineberg. Fineberg was and still is a fascinating man, born in Pittsburgh in 1896 and ordained as rabbi by the Hebrew Union College in 1920. His name in itself is fascinating. Named Solomon ~~Am~~chel Fineberg by his parents, he changed it later to give his wife Hilda some credit for who he was and what he did. Thus, Solomon and Hilda coalesced into Solomon Andhil Fineberg.

He found serving several congregations that congregational life was not for him. So he left the congregational pulpit and, in 1939, began

working for the American Jewish Committee as a community relations consultant eventually becoming the AJC's Director of Community Service. He specialized in combating anti-Semitism, writing a book entitled Overcoming Anti-Semitism in 1943. In the book, Fineberg summed up several of his feelings, writing:

What did the Italians do about Al Capone or the Irish do about any Irish thug? Make your critic understand that if he cannot accept the responsibility for the recalcitrant conduct of everyone born within his own fold, neither can Jews. . . . Make that man sympathize with you and with other Jews by making him realize that every bad man is a problem for all society. . . .

If a Jew is being "railroaded" or "framed" because of anti-Semitic motives, he deserves the same moral, financial, or other help that any man deserves who is being unjustly prosecuted, regardless of the reason. But be careful about the man who shields himself by saying that, were he not a Jew, he would not be subject to this persecution.²

In his work, Fineberg was to develop the idea of the quarantine method as a way of combating blatant anti-Semitism. Essentially a method to combat anti-Semitism by persuading the media to tone down anti-Semitic coverage and play up the damage caused by anti-Semitic activity to democracy and civil rights, Fineberg began its development to combat Gerald L. K. Smith. Noting that an anti-Semite's most valuable asset was publicity and that public opposition only increased this publicity, Fineberg laid down some eight points to follow which would limit publicity without allowing the anti-Semite creditability. Critics of the quarantine method were those who thought that anti-Semitism should be fought openly while the most vocal critics of the left sarcastically called it the "hush hush" or the "shah shah" method.³

Finally, as introduction, Fineberg was and is an ardent anti-Communist. His anti-Communism began soon after the Bolshevik Revolution, as he sensed

the atheistic nature of Communism. Fineberg's anti-Communism was to combine with his notions of combating anti-Semitism and his idea of the quarantine method as he became the focal point of the Jewish center's response to the Rosenberg case.

Beginnings of AJC Concern with Communism

In a retrospective written in 1973, Fineberg remembers his perception of the Communist threat:

The Communist Party, USA, had ethnic divisions, including one that sought to convert Jews to Communism and to organize them as infiltrators in Jewish organizations.

. . . Communism created grievous problems for the American public and, because of anti-Semitism, additional hazards for Jews.⁴

The AJC's first public announcement on Communism came in May of 1947. Aware of problems from the American right and left on Communism, the AJC executive committee adopted a statement reading: "That the staff, by the accepted methods of AJC and as part of its continuous program to strengthen democracy, direct its efforts to combat the attempt of reactionary and communistic minded groups alike falsely and viciously to identify Jews and Communists."⁵ The AJC was divided. Some staff people wanted a large program to disassociate Jews from Communism. A staff committee on Communism was proposed, under Fineberg's leadership. A program was proposed in December 1947 to publicize liberal Jews who fought Communism and to stress the incompatibility between Communism and Judaism in publications such as Commentary. This was expanded a month later to include: 1) acquainting Jews with the dangers of associating with Communist and Communist-front organizations, 2) acquainting the general public with the opposition of Jewish labor to Communism, and 3) acquainting the public with facts on the

status of Jews living under Communist rule.⁶

These programs were not implemented. Even though Fineberg and AJC executive vice-president John Slawson favored them, membership support did not exist. Thus, the AJC anti-Communism campaign lay dormant for a couple of years--until Jewish names began popping up in trials and investigations about Communist activities and, in the summer of 1949, when anti-Semites joined the Peekskill, New York, anti-Communist riots.⁷ The AJC, once again, prepared to respond.

All-American Conference to Combat Communism

Early in 1950, the American Legion invited various national organizations to form an organization to combat Communism. To be called the All-American Conference to Combat Communism (AAC), the American Legion's invitations went out to many Jewish groups, including the AJC. Of all the Jewish organizations, only the Jewish War Veterans and the AJC accepted invitations. And the AJC's acceptance came only after much in-house debate.

Slawson laid down some recommendations for the AJC's affiliation--"respect for individual liberties, attacks on all forms of totalitarianism and subversive elements, and a positive approach to civil rights."⁸ The AJC wanted to keep the AAC from becoming a haven for witch-hunting vigilantes and anti-Semites and also wanted to avoid any misimpressions that might have been drawn had it not joined. Without a doubt, the AJC's affiliation did moderate the AAC and encourage other establishment groups to affiliate. Such can be seen in Fineberg's speech to the AAC entitled "The Role of Religion in Combating Communism" given on March 10, 1951. In that speech, Fineberg warned that fear of Communism should not become a mania.

Over the years, many organizations withdrew from the AAC. Under Fineberg's encouragement, the Jewish War Veterans remained until 1973, even though the AJC pulled out in 1968. The AJC's decision to join the AAC in 1950 reawakened the dormant anti-Communist campaign. And on June 27, 1950, the AJC recommended that no demonstrably Communist affiliated or led organization be allowed membership in Jewish communal institutions.

The Arrests Begin

Every summer Fineberg headed up to New England to refresh and relax. The summer of 1950 started out the same way. Yet Fineberg's vacation was cut abruptly short by a phone call from Slawson. Over the phone, Slawson stated, "Come on, hurry back right away, we've got a problem. Jews have been arrested for atomic spying and you can imagine the amount of anti-Semitism this will create."

Fineberg's immediate response was right in character. He felt the AJC should follow business as usual. "All crimes are individual," he explained and that a whole group should not be held responsible for what certain individuals do.⁹ Fineberg had little notion then of what was soon to develop.

But other organizations were worried. At the request of the executive director of Cincinnati's Jewish Community Relations Council, the NCRAC held a meeting to discuss the problem of identification of Jews with Communism. At that time, July 27, 1950, the NCRAC decided to take no action. The final arrests of the alleged spy ring--of Ethel Rosenberg and Morton Sobell--were to occur in just three weeks.

PHASE II -- From the Arrests to the Executions

Introduction

Fineberg eventually did return from New England. The atomic spy arrests, in combination with the Korean War, had made the situation a bit uncomfortable. As one of the most vocal anti-Communist American rabbis, Fineberg had been asked to become coordinator of Staff Activities in reference to Communism. By October of 1950, he chaired a Staff Committee on Communism made up of over twenty AJC staff people with two purposes: 1) to disassociate Jews from Communism and 2) to prevent wrongful measures for combating the Communist threat through the Civil Rights Division of the AJC.¹⁰ Among the AJC people to serve on this Committee during its few years of existence were Alfred L. Bernheim, Director of the Public Information and Education Department; Monroe Berger, a writer in the Foreign Affairs Department; Louis Breier; Martin Clurman, Publicity Assistant; Elliot Cohen, editor of Commentary; David Danzig, Program Coordinator of the Department of Administration; Lucy Dawidowicz; Morris Fine, Director of the Library of Jewish Information; Herbert Foster; Joseph Gordon, Research Specialist with the Library of Jewish Information; Eliezer Greenberg, Director of Yiddish Press Relations; George Hexter, Executive Assistant; Milton Himmelfarb, in charge of education on Jewish communal issues; George Kellman, Director of the Investigative Division; Edwin J. Lucas, Director of the Civil Rights Department; Dorothy M. Nathan, Director of Servicing of the Community Service Department; Simon Segal, Director of the Foreign Affairs Department; Manheim Shapiro; David Sigman, Director of the Labor Division; Nathan Weisman, Director of Community Activities; and Joseph Wolfson, Coordinator and Foreign Affairs Representative in

Washington. Eventually, the Committee was divided into three major sections: 1) the Appraisal Committee, 2) the Planning (or Steering) Committee, and 3) the Committee on Projects. So serious did the AJC consider the Rosenberg affair that a special subcommittee on the Rosenbergs was formed. It was from these committees, especially from Fineberg himself to his superiors, that the AJC campaign was to develop.

The AJC response must now be examined chronologically. I will do my best to isolate it, but this cannot and should not be fully done. For the AJC response was not an isolated affair. The AJC considered and responded to the actions made by the Jewish left. Then, as in a vicious cycle, the left offered a counter-reaction spurring on a further center response. Additionally, other outside factors encouraged varying responses by the center. However, I have made a very serious attempt to exclude foreign and governmental contacts in the following account. Such contacts will be examined in later chapters. We now return to 1950.

A Chronological Account

The same October 1950 memorandum which stated the two goals of the Staff Committee on Communism also suggested the taking of a poll to determine the extent of association in the public mind between Jew and Communist and spy. Funding, stated the memorandum, could perhaps be shared with the ADL. Phase II of the AJC response had begun.

Yet the notion of a poll dated back three months earlier. In a confidential memorandum dated July 31, 1950, to John Slawson from the AJC's Director of Scientific Research, Dr. Samuel H. Flowerman, the notion of a poll began to take shape. It was entitled "Public Relations Effects of Activities of Jewish Atom Spies." In it Flowerman warned, "The present situation is regarded as being potentially more dangerous than the situa-

tion which obtained during World War II," with the enemy as Communist Russia instead of Nazi Germany. Because of the publicity over spy activities by Jews and by people with Jewish-sounding names, Flowerman indicated a concern about non-Jews imputing treasonable activities and motives to Jews. Moderating this with a doubt that it could reach serious proportions, Flowerman indicated an even more serious concern. He warned, "Efforts to disidentify Jews as a group from instances of bad behavior will continue to be fraught with danger," and cited as examples: calling attention to incidents mostly ignored; establishing as yet unperceived links by the public; confirming notions of collective responsibility by disclaimers of it; and "boomerang effects" that might occur in the event that Soviet anti-Semitism was poorly exposed.

In place of such efforts, Flowerman suggested a concern with the larger community, with Jews visibly helping to improve general conditions. He also suggested the use of the AJC investigative staff. "During recent years," he wrote, "we infiltrated into rightist organizations to explore them, etc. Why can't we do this with Communist organizations, also using our knowledge to scare off Jews." With this, he proposed the use of "propaganda of fact" and suggested certain facts to publicize. Finally, Flowerman added some interesting possibilities. He suggested talks, quiet and discreet, with editors and government officials. He carried this further in suggesting consultation with Justice and Treasury Department officials to make certain that no bias existed in the arrests, to warn of dangers of group association, and to offer AJC cooperation (more on this in Chapter V).

Flowerman then did conduct a poll in November 1950 with the assistance of the National Opinion Research Center. A detailed examination of the

polls will be made in Chapter IX. Suffice to say here that, in combination with a follow-up poll in April 1951, the results indicated that the public made little, if any, association between Jew and Communist and spy. Flowerman reported these encouraging results at an AJC staff meeting in April 1951 and sent a confidential flyer to Slawson with the figures on May 4, 1951.

April 1951 also saw the Rosenberg and Sobell sentencing. Many of the Yiddish newspapers reacted negatively to the sentencing, wondering aloud if Judge Kaufman acted harshly because of his Judaism. The left was to pick this up several months later. The AJC, however, was faced with such thoughts as early as the Yiddish press. On the advice of fellow physicist Philip Lilienthal, Stanford professor and later Nobel laureate Dr. Felix Bloch wrote to the president of the AJC, Jacob Blaustein.¹¹ Bloch, a German Jewish refugee, had been involved in America's atom bomb project. Concerned over the death sentences, Bloch wrote a clemency appeal to President Truman, a copy of which he mailed Blaustein. To Truman Bloch stated: "Being a Jew, I am keenly aware of the possibility that Judge Kaufman has chosen the utmost severity towards the convicted jewish [sic] couple. . . because of the fact that he is Jewish himself. In this case, his sentence would have been a reaction to the principle of collective guilt, applied to jews [sic] by anti-Jewish elements and, in this respect, would have been influenced by personal rather than objective motives." In his cover letter to Blaustein, Bloch added that he was concerned about repercussions the Rosenberg case might have for American Jews. He wrote, "Since it is taken for granted by non-jews [sic] that a jew [sic] feels pity for a fellow jew [sic], his [Kaufman's] lack of mercy will be interpreted as a sign of a guilty conscience and will merely arouse more suspicion."¹²

Lilienthal agreed with Bloch's thoughts, if not his methods, writing to Blaustein, ". . . if the Jews in this country take this matter lying down, it may be an opening for something more serious. Bloch tells me this is exactly what happened in Germany."¹³

Blaustein passed Bloch's letter on to Slawson for advice on a response. Slawson then turned to his staff to solicit opinions. Several found agreement, at least in part, with Bloch. Alfred Bernheim, Director of AJC's Public Information and Education Department, and Edwin Lucas, Director of its Civil Rights Department, indicated to Slawson that they felt Kaufman was influenced by a notion of group responsibility meting out a revolting sentence. Yet both felt that for the AJC to act would only add to the problem.¹⁴ Fineberg, however, did not agree with Bloch. In his response, Fineberg stressed a point he would consistently make throughout the Rosenberg case. He noted that no one should say, without concrete proof, that a Jew who sits as a judge cannot act without bias in sentencing Jews. Such could disqualify Jews as judges. He then added that since the AJC called for capital punishment in Nazi criminal cases, it cannot oppose it for the Rosenbergs.¹⁵

Blaustein was to combine both views in his response to Bloch. Noting "my personal reaction with respect to the severity of the sentence imposed upon the Rosenbergs was not unlike your own," Blaustein added that he opposed any Jewish organizational activity for it might lend creditability to the notion of group responsibility. Pointing out that the trial was fair and the sentences were in line with other sentences, Blaustein stressed that Kaufman should not be disqualified because of his religion.¹⁶ A year later, Blaustein's letter to Bloch was sent out to all AJC area chairmen as an example of a possible response.

A New York Mirror editorial¹⁷ prompted a staff memorandum on April 24, 1951, which was revised on May 14, 1951. The Mirror editorial argued that the public should look at the good Jews involved in the case--Kaufman, Saypol, and Cohn--and gave examples of other ethnic groups wherein general conclusions could not be drawn from individual cases. Debating the merits and demerits, the staff memorandum concluded that such editorials only lent credence to the notion of group responsibility. Entitled "Public Comment on the A-Spies" and put together by Fineberg, the memo boiled down to one line:

The actions of these spies were the acts of individuals in no way influenced by the fact that they are Jews.

The AJC thought it saw a crisis. Although its own polls indicated otherwise, the AJC did begin to form a position motivated by the concern over Kaufman's sentences expressed in several corners. And then the AJC kept silent until the National Guardian, the NCSJRC, and Jewish Life made various charges--including anti-Semitism--at the end of 1951 and the beginning of 1952.

In February of 1952, Fineberg put forth the AJC position on Jewish involvement in the NCSJRC in a letter. Writing that "no meeting of Communist or Communist dominated organizations should be held in buildings owned by Jewish organizations," Fineberg stated that he felt the Rosenberg Committee fell in the same category. He then warned that the FBI was keeping special note of all pro-Communist affairs and the help they received.¹⁸

This was followed in March by a public document summarizing the Rosenberg campaign on the left since the sentencing. Entitled "The Defense of Ethel and Julius Rosenberg: A Communist Attempt to Inject the Jewish Issue" and intended for all chapter chairmen and contact

people at other Jewish organizations, the document came to the conclusion that the identification of Jews with Communists by Communists served two purposes. It stated:

First, it is used cynically as a means of duping some innocents into believing that defense of Communists really means defense of Jews. Second and more important, by publicly forcing the association, the Communists hope to blackmail Jews so that they will defend the Communists to allow themselves to be defended by Communists, and eventually suffer the consequences of public identification with Communists.¹⁹

As a cover letter for this document, Fineberg enclosed a questionnaire to get a feel for the Rosenberg campaign on a local level. Fineberg wanted chapter heads to let him know the extent of organized Rosenberg support, the amount and type of Jewish organizational and media help given the Rosenberg supporters, and what type of help he could offer from the national office.²⁰ This questionnaire can be found in Appendix B-1.

March 1952 saw one other event in the Jewish center's response. The cover story of that month's ADL Bulletin was an article on the Rosenbergs subtitled "Communists have faked a Jew-baiting issue in the Rosenberg case." It was written by one Oliver Pilat, a reporter for the New York Post. Quite critical of Rosenberg supporters, Pilat had become deeply involved in the case. On March 28, 1952 he addressed a letter to the editor of Commentary. In it he stated that his research about the Rosenbergs indicated that "these twisted individuals, before they became traitors to their country, were first traitors to their own families, faith, and group." Irving Engel, AJC's executive committee chairman, sent copies of Pilat's letter out to the Joint Defense Appeal of New York to alert people to what he saw as Communist Party maneuvers which were aiding the extreme right in its attempts to link Jews with Communism.

Where Pilat's involvement in the case began is simple enough. The New York Post assigned him the atom spy stories when the arrests began in

1950, climaxing in a five-part series immediately after the convictions in 1951. Why he became so deeply involved is another matter open to conjecture. Following his assistance to the AJC and the ADL, he went on to author the first book on the atom spies (described in Chapter I).

Pilat also had a minor role in the meeting of the Rockaway branch of the NCSJRC on April 29, 1952. Fineberg attended the meeting, along with 75-85 other people. The guest speaker was Helen Sobell, Mort Sobell's wife. The New York World-Telegram story the following day read:

After she [Mrs. Sobell] finished [speaking] and some money had been collected, a well-dressed, middle-aged man arose and charged that "the whole thing is a stage show."

He wanted to know why the committee had waited a whole year after the sentencing of the Rosenbergs before starting the movement for a new trial.

Mrs. Sobell fainted.

"Pay no attention to that!" the man shouted. "She'll always faint when something like this happens. She's a wonderful actress!"

Another man in the audience then got to his feet, cried "Oh, my God!" placed his hand to his heart and collapsed.

A third man fell over a chair in the excitement.

The man who had caused all this flurry hurried out of the room and ran down the street before anyone could learn who he was.

Both the World-Telegram reporter and Pilat knew who the well-dressed man was. They kept his identity secret, at his request. He was S. Andhil Fineberg, who did not want his identity known at the meeting.

Fineberg remembered that meeting for years to come. He felt he had proved a point and had demonstrated the fallacies of the left. He would constantly refer back to a quote made by Helen Sobell at that meeting. During her talk, Fineberg heard her say, "Julie and Ethel could save their own skins by talking, but Julie and Ethel will never betray their friends."²¹ He felt this was an obvious indication of their guilt.

Secrecy seemed an important concern. Several days earlier, on April 14, 1952, the AJC's Los Angeles Area Director Frederick A. Schreiber had attended another meeting of the NCSJRC. Some 600 people attended this Los Angeles branch meeting along with one Joseph Greenberg. Joseph Greenberg did not exist. The name was Schreiber's cover through which to view the meeting and send a report on it back to New York. Schreiber took note of local sponsors, times, age distribution, and speakers. He summarized the speakers' comments and offered his impressions of the meeting. He summed up his report:

The theme of anti-Semitism and anti-minorityism, the threat of impending mass-extinction and gas chambers, comparison to Nazi methods and policies stood out as the major intention of this rally. "If the Rosenbergs must die--then all Jews will have to die" was the thought with which the people were sent home.²²

Schreiber also offered some other interesting comments. He found the reaction to the speeches reminiscent of German Nazi party rallies of the early 1930's. And he used his cover to further his "spy activities." He wrote:

Two women suddenly looked scared when I walked over to their side (trying to catch some of their conversation). They pulled away from me. My remark that it was wonderful to have such a turnout of people and that it is encouraging to see how many courageous people there are left changed their fears to joy and at once they confided that they suspect everybody of being a "Gestapo."²³

Schreiber also "eye-flirted" with a young woman in attendance and made "a pick-up" following the meeting--not out of a romantic interest but to further delve into the meeting and surrounding activities. Schreiber's report can be found in Appendix B-2. Perhaps as a partial result of these meetings, the Planning Committee on Communism determined a need existed to send out a memorandum warning rabbis of the NCSJRC.²⁴

The Jewish center response finally jelled in May 1952. It was first

given a boost by the American Civil Liberties Union (ACLU). In a memorandum put out by Staff Counsel Monte Levy which found no issue of civil liberties in the Rosenberg case, mention of the issue of anti-Semitism was made. Levy wrote:

Anti-Semitism [sic]. The contention has been made that anti-Semitism somehow played a part in this case. No such contention was made by the attorneys for the Rosenbergs. Such a contention would seem to be far fetched indeed, since not only the judge but the prosecutor and members of his staff were Jewish. In addition, the Anti-Defamation League of B'nai B'rith has condemned the effort to inject the spectre of anti-Semitism into the case. A pamphlet on this subject is available from their offices . . . ²⁵

The ACLU memorandum gave strength to Fineberg's attempt to get the AJC board to pass a statement proclaiming anti-Semitism in the Rosenberg case a false issue. Succeeding at this, Fineberg took the statement to the NCRAC. Since the NCRAC was a coordinating body of six major Jewish organizations (see below), a statement made by it would carry greater impact than one made by the AJC alone. So Fineberg worked through a similar proposal at the NCRAC which appeared in the form of a press release on May 13, 1952, for Anglo-Jewish weeklies. After a short introduction, the statement declared:

Any group of American citizens has a right to express its views as to the severity of the sentence in any criminal case. Attempts are being made, however, by a Communist inspired group called the National Committee to Secure Justice in the Rosenberg Case, to inject the false issue of anti-Semitism into the Rosenberg case. We condemn these efforts to mislead the people of this country by unsupported charges that the religious ancestry of the defendants was a factor in the case. We denounce this fraudulent effort to confuse and manipulate public opinion for ulterior political purposes.

The full text of this statement can be found in Appendix B-3.

With the strength of the ACLU and the NCRAC behind him, Fineberg prepared an article "for rabbis, Jewish journalists, and other molders of Jewish opinion"²⁶ entitled "The Communists Find a New Opening: The Rosen-

berg Case as a Wedge." Fineberg set out to expose the whole Communist frame-up. He wrote a first draft on May 15 and released the final copy on June 5. The final copy was shorter, less vicious in its attacks, and cut out Fineberg's consistent earlier use of the personal "I." But the ideas remained the same.

Fineberg first gave a history of the left appeal and then offered arguments to refute the claims of anti-Semitism and the claims of an unfair trial made by the left. Of course, he cited the ACLU and the NCRAC statements. Then Fineberg aimed several lines directly at his audience. He wrote:

When the Communists of Soviet Russia were seeking to stamp out religion, every American Communist declared his atheism avidly. Now that religious persecution has reacted against Russia in public opinion, the Communists, although all of them are atheists, stretch out a hypocritical hand to clergymen. It is not surprising that the Rosenberg Committee has targeted its literature to rabbis. Not that they really care about principles . . . But it is a good tactic now--very good tactic, to get those whom the public respects and who in turn respect justice and mercy to speak up in this case and become pawns of the Rosenberg Committee.²⁷

Fineberg concluded:

. . . we find Communists and fellow-travellers trying to make anti-Semitism and anti-Communism appear synonymous. Hostile to Judaism and devoid of religious principles, they try to blackmail American Jewry into promoting Communist causes. They employ any tactic that may ensnare the unwary. The net that is being woven from spurious threads of the Rosenberg case must be regarded as one more example of Communist trickery.²⁸

Fineberg's article can be found in Appendix B-4.

Fineberg had now established himself in the public eye as the Jewish center's representative in responding to the Rosenberg case and the NCSJRC. Conservative (not in the religious sense) Cincinnati Rabbi Michael Aaronsohn wrote Fineberg about his article saying that Benjamin Schultz had carried the burden too long by himself. It was good he now had assis-

tance.²⁹ Yet Fineberg met quiet resistance, both from AJC colleagues and from rabbinic colleagues. The resistance centered upon Fineberg's outspokenness and his seeming lack of sympathy for those struggling with the death penalty. Few quibbled with Fineberg about the trial and convictions.

Other public articles began to appear espousing views similar to Fineberg's. Lucy Dawidowicz had three articles published on the Rosenberg case during the last six months of 1952. Dawidowicz not only served on the staff of the AJC's Library of Jewish Information, but she also sat on its Staff Committee on Communism. Her first article, printed in Commentary (the monthly published by the AJC), examined what she perceived as the Communist propaganda trap. She covered much the same ground as Fineberg, yet added what she thought were the pro-Rosenberg campaign's main intentions:

The primary intention of the hullabaloo is . . . to demonstrate that anti-Communism leads inevitably to anti-Semitism, and that the Truman administration, by resisting the march of world Communism, must thereby develop into a fascist regime. A secondary aim . . . is to pick up sympathy and support from individual Jews who may be suckers for this particular bait A possible third intention . . . is to further provoke the lunatic fringe of anti-Semites by confirming the equivalence of "Jew" and "Communist," thus creating fertile soil for the kind of bitter divisive strife that the Communists know so well how to exploit.³⁰

Dawidowicz then wrote two other articles, both of which appeared in the periodical The New Leader. Although not sponsored by the AJC, The New Leader attracted a similar group of writers and readers as Commentary. In the first of her two New Leader articles, Dawidowicz posited that the Communist Party had not called for commutation for the Rosenbergs because it preferred two dead martyrs to two potential witnesses. The second of the two articles suggested that the NCSJRC was part of an international hate-America campaign. In years to come, both Commentary and The New

Leader were to remain quite critical of the Rosenbergs and their supporters.

In November of 1952, Fineberg was able to survey the progress made. In a confidential memorandum to members of the Committee on Communism, Fineberg stated that he felt the AJC condemnation of the NCSJRC had kept reputable Jewish organizations away. He then noted what little respectable Jewish support the NCSJRC had received:

Only three rabbis, Dr. George Fox, who is somewhat of an eccentric; Dr. Abraham Cronbach, a retired professor of the Hebrew Union College, who has always been an ivory-chair moon gazer; and an obdurate and opinionated rabbi of an insignificant Orthodox congregation have lent support to the committee. . . .

Dr. Fox, while continuing his efforts toward clemency, has withdrawn his cooperation from the Rosenberg committee. Dr. Cronbach is hopeless. He is being used as a perfect Communist stooge, a well-meaning but muddle-headed non-Communist who comes under the influence of such organizations as the Rosenberg committee.

Quarantine has been effectively applied to the Rosenberg Committee. But messages from abroad and from public figures asking for clemency cannot be quarantined unless they come directly from the Rosenberg committee.

Fineberg then concluded:

Certainly the AJC should not recommend execution of these atomic spies or take any position for or against clemency. But every appeal for clemency will play right into the hands of the Rosenberg committee. It will bring non-Communists and anti-Communists under the influence of the Rosenberg committee.³¹

A second ACLU document, approved December 1, 1952, and released one week later, strengthened Fineberg's efforts. The ACLU stressed once again that no evidence existed to substantiate claims that the death sentences were motivated by religious and/or political considerations. In spite of all his efforts, however, support for the Rosenbergs grew as 1952 came to an end.

Perhaps some correlation existed between the rise in Rosenberg support and the events taking place in Czechoslovakia and Russia. The Slansky

trial took place, followed by the doctors' purge in Russia. With the Slansky trial occurring at the end of 1952 and paralleling the rise in Rosenberg support and protests for the Rosenbergs around the world, several observers commented on an apparent cover-up. In spite of the claims of Jewish Life, Fineberg clearly saw Communist anti-Semitism being revealed in the Czech purge.³² Fineberg made the explicit correlation a year later when he wrote:

The sudden tremendous increase of interest in the Rosenberg case began when the Communist overlords realized that a mistake had been made in furnishing flagrant proof of anti-Semitism. The elimination of Jewish culture and the decimation of Jewish life behind the Iron Curtain would continue, but without furnishing a public spectacle. To diminish world-wide wrath about the Prague trials, the Communists leaped aboard the Rosenberg train.³³

So concerned did Fineberg become with growing Rosenberg support and increasing criticism of the American judicial proceedings that he orchestrated the preparation of a joint statement on the case by six representatives of the three major religious groups in the United States. Fineberg wanted the statement to deny all claims of anti-Semitism and to offer support for the American judicial system. In reflecting on his efforts to pull this together, Fineberg commented:

I wanted three clergymen . . . a rabbi, a minister, and a priest, and three laymen, a Catholic and a Protestant and a Jew, prominent men to say simply, "For goodness sake, trust our courts, stop assuming that they would condemn the innocent." I didn't mean to say, mind you, that they should not have been executed at all, but not to write off the American judicial system as being so dreadful it would allow a horrible monstrous thing to happen and, you know, I had a horribly difficult time trying to get people. . . . They did not want to appear unmerciful.³⁴

In the end, Fineberg found his six men. They were industrialist and former General Electric president Charles E. Wilson; former New York State Supreme Court Justice and presidential advisor Samuel I. Rosenman; professor of law and former Dean of the College of Law at Notre Dame Clarence

E. Manion; editor of The Christian Herald Rev. Dr. Daniel A. Poling; Cathedral College Father Joseph N. Moody; and Rabbi of New York's Temple Israel William F. Rosenblum. The statement was released by Dr. Poling on January 5, 1953. The thoughts expressed in the statement paralleled earlier thoughts with a significant addition. The statement concluded:

Appeals in regard to clemency should be directed to the Rosenbergs themselves. They have revealed no regret for the harm which they have done our nation nor any desire to assist the Department of Justice. They have failed to take steps that might warrant clemency.

The full text of the statement can be found in Appendix B-5.

Clemency for cooperation thus appeared on the scene. The statement received a fairly good play. Yet Rosenberg supporters also received some very important help. Two famed scientists, Dr. Harold C. Urey and Dr. Albert Einstein, both wrote letters to the New York Times³⁵ urging commutation of the death sentences and even questioning the guilt of the Rosenbergs. The intensity of the campaigns on the left and in the center had reached a peak.

At times, doubts about the Rosenberg campaign and concern for civil liberties were to surface at the AJC. One example will be mentioned later. Suffice to say here that Fineberg's deep fears about Communism usually carried the day. In a memorandum³⁶ to Irving Kristol of Commentary, who also served on the Committee for Cultural Freedom, Fineberg noted:

You are for civil liberties; so am I. Sure, we shall go ahead and cooperate, but how about Communism? Here is your chance to answer clearly; how about it?

After January 1953, Phase II of the AJC response almost ended. At the end of April of that year, a new and smaller staff Committee on Communism was constituted under Fineberg and included Alfred Bernheim, Morris Fine, Milton Himmelfarb, Simon Segal, Nathan Weisman, Fred Robin, and Lucy Dawidowicz as secretary.

With this phasing down, only two other projects of any importance occurred, both coming immediately after the Rosenberg executions. First, Eliezer Greenberg, Director of Yiddish press relations for the AJC, prepared a memorandum summarizing the reaction of the Yiddish press to the executions.³⁷ Second, the AJC conducted a poll in July of 1953 similar to the polls of November 1950 and April 1951 under the direction of Marc Vosk, Flowerman's successor. The results showed little significant change from the earlier polls. Thus ended Phase II of the AJC's response.

The Anti-Defamation League

The ADL response closely paralleled that of the AJC. A February 28, 1952, memorandum similar to an AJC letter of the same date warned "Please alert Jewish groups against supporting any [Rosenberg] meeting and advise . . . immediately of attempts to develop pro-Rosenberg sympathy in your area."³⁸ Yet, somewhat unlike the AJC, the ADL took definite action to not only hinder but even cancel pro-Rosenberg meetings.

Mention is made in that same memorandum of the cancellation of a Progressive Party meeting protesting the Rosenberg sentences. The Chicago director of ADL, A. Abbot Rosen, persuaded the board of Temple Judea in Chicago to withdraw permission from the Progressive Party to use the temple facilities. The cancellation caused a split in the congregation and the resignation of the president of the congregation.³⁹ Local ADL papers carried the same message. The Los Angeles B'nai B'rith Messenger quoted at length the Los Angeles Community Relations Council statement on the Los Angeles meeting described earlier. It commented:

At protest meetings of this new Communist front organization, held in this area, speakers attempted to create the impression that the U.S. government and courts had adopted Nazi Germany's anti-Semitic policies and that the trial and conviction of the Rosenbergs was "just the beginning of a nationwide government-sponsored anti-Semitic terror." . . .

Communism and Judaism are diametrically opposed and do not mix. The Rosenbergs were not convicted because they were Jews, but because they were bad Americans.⁴⁰

March 1952 saw the release of the Pilat article "Anti-Semitism and the Atom Spy Trial" in The ADL Bulletin mentioned above. Pilat made several points in the article. He pointed out how much more insidious was the use of racism on the left than its use on the right for no one was fooled by the right. He then attempted to dismantle the claims of anti-Semitism, putting particular stress on what he saw as Julius Rosenberg's hypocrisy. Pilat, citing an example from Julius Rosenberg's testimony of his feelings for the Jewish people, wrote, "This did not come with perfect grace from a man whose repudiation of rabbinical training as a youth, after he fell into the party hands, broke his father's heart. Nevertheless, Julius Rosenberg ground out every possible shred of advantage from the faith he had repudiated."⁴¹ Pilat then summed up his article with three short sentences:

The Communists aren't interested in the Rosenbergs as Jews. They are not concerned with the welfare of the Jewish community. They're yelling anti-Semitism for their own, partisan purpose.⁴²

Additionally, ADL's president, New York State Supreme Court Judge Meier Steinbrink, publicly warned Jews to stay away from the Communist campaign to win sympathy for the Rosenbergs.⁴³

The ADL gained most of the attention during April of 1952 in the center response to the Rosenberg campaign. The Pilat article and Steinbrink's warning received great play in the press. William Randolph Hearst's Journal-American ran an editorial on April 8 entitled "The Reds Fall Flat" noting:

Foremost among those who have refuted the Communist case is the Anti-Defamation League of B'nai B'rith, a Jewish organization which would be the first to detect and protest anti-Semitic motives in the matter if any existed.

The official bulletin of the League urges all Americans to be on guard against Communist exploitation of the fraudulent racial issue . . .

So delighted was the ADL with this coverage that National Director Benjamin R. Epstein wrote to Hearst praising the editorial. In the letter, printed in the April 18 edition of the Journal-American, Epstein wrote:

The propaganda technique of the Communists--that of creating an anti-Semitic straw man in order to knock it down and thereby strike a pose as a defender of minority rights--only serves to complicate and confuse the very real menace of anti-Semitism that blights our nation today. Very shortly, the Anti-Defamation League of B'nai B'rith will release publicly its latest study of bigotry in the United States (. . . The Troublemakers) and the findings will disclose a persistent effort on the part of the fascist-minded and the professional hate promoters to exploit the tensions of the day and to injure Jews in America--again, for selfish advantage. Like Communist, like fascist.

The Troublemakers appeared in book form later that year. The report noted that Communists and anti-Semites had succeeded, "to a degree, in confusing the popular mind with regard to Jews and Communism."⁴⁴ Yet The Troublemakers centered in on the Daily Worker, noting that it had called Judge Kaufman an "Honorary Aryan," and did not mention the NCSJRC.

The publication of The Troublemakers and participation in the NCRAC statement constituted most of the ADL public response. One rabbi serving in a Hillel position at the time of the Rosenberg case feels that his support of the Rosenbergs was the climaxing factor in a series of events which the ADL used to call for his separation from Hillel.⁴⁵ But such was an internal ADL affair, not meant for public consumption.

The National Community Relations Advisory Council

The NCRAC was a coordinating body of six major Jewish organizations when 1952 began--the AJC, the American Jewish Congress, the ADL, the Jewish Labor Committee, the Jewish War Veterans of the United States, and the Union of American Hebrew Congregations--and several local community

relations councils.⁴⁶ Earlier note has been made in this work to the July 27, 1950, meeting of the NCRAC to discuss the problem of identification of Jews with Communism and to the May 18, 1952, NCRAC statement denouncing the NCSJRC for raising the false issue of anti-Semitism. Note should be made here that the NCRAC did have an Ad Hoc Committee on Communism. In a memorandum from Al Vorspan of the NCRAC to this committee on April 23, 1951, Vorspan noted that Fineberg had brought to his attention that "Communists will seek to induce Jews and Jewish agencies to demand commutation of the death sentences for the Rosenbergs on the grounds that a Jewish judge leaned backwards."

The NCRAC made one more addition to the center response. Abraham Cronbach had written Isaiah Minkoff, Executive Director of the NCRAC, with an appeal for clemency for the Rosenbergs. Cronbach wanted requests sent to President Truman. Minkoff replied on November 6, 1952, by restating the May NCRAC statement and obviously concluding that neither he nor the NCRAC could support an appeal. A memorandum from National NCRAC Coordinator, Jules Cohen, to the NCRAC Committee on Communism the following day quoted Cronbach's letter and Minkoff's reply. A second memorandum from Cohen to the NCRAC membership again copied Minkoff's reply to Cronbach (without mentioning Cronbach's name) to make clear why the NCRAC would make no appeals to Truman. Cohen also cited other Jewish organizational positions to strengthen the NCRAC's refusal to make an appeal.⁴⁷

Cohen mailed out one final memorandum on December 11, 1952, to the NCRAC membership. He enclosed the ACLU resolution of December 8 and a NCSJRC press release calling for a prayer meeting for the Rosenbergs. Cohen wrote:

Jewish agencies and leaders should do everything possible to alert the Jewish community to the fact that there is no

valid Jewish issue in the Rosenberg case and to the true nature of the Rosenberg Committee in order to prevent unsuspecting Jews from getting involved.

Other Organizations

The Jewish War Veterans of the United States (JWV) did follow the pattern set by the larger organizations. In a March 20, 1952, statement, Fred S. Harris of the JWV Commission on the Danger from Communism and Fascism warned JWV units and members to avoid involvement with the NCSJRC. Noting that the judge and prosecutor were Jewish, Harris said that if anti-Semitism had been involved, they "would have been amply aware of the fact and adequate safeguards would have been fully available to the defendants."

Yet the JWV was to go a bit further than the larger organizations in praising Judge Kaufman. A statement in November 1952 commended Kaufman for his fair judicial handling of the case. Far stronger was a letter mailed to Kaufman by JWV National Commander Jesse Moss. Moss wrote:

We want to compliment you upon the courage and clarity of thinking you have shown. We believe it to be quite clear that you acted only out of motives of justice and patriotism, and that those who have organized the outcry against the verdict have not.

As the leader of a great group of veterans of the Jewish faith, I especially resent the efforts to make an issue out of the religious identity of the defendants. We despise equally those who would callously use the Rosenbergs to injure the Jews and those who would callously use the Jews to help the Rosenbergs.⁴⁸

The American Jewish Congress said even less about the Rosenberg case. Its periodical, the Congress Weekly carried an editorial on May 26, 1951, calling the issue of anti-Semitism in the Rosenberg case a false issue raised by pro-Communist sources. Later, when receiving requests for appeals on behalf of the Rosenbergs, David Petegorsky, the executive director of

the Congress replied:

In the present case, we continue to find no evidence whatever that the racial origin of the Rosenbergs was a factor at all in the trial itself or in the sentence. As a result, whatever judgment individuals may choose to make about the sentence, the American Jewish Congress contemplates no appeal to the President.⁴⁹

Of the two other national organizations on the NCRAC, I have found little primary evidence of a response. However, Albert Vorspan, currently co-director of the UAHC--Central Conference of American Rabbis (CCAR) Commission on Social Action, writes about the case, "The UAHC ducked the issue of guilt or innocence, but did come out against the death penalty as we did even on Eichmann!"⁵⁰ I would assume that such an objection would stand out if it so existed. What I did find was a letter dated October 27, 1952, from Rabbi Roland Gittelsohn to Cronbach regarding the UAHC-CCAR Commission on Justice and Peace. Gittelsohn wrote, "The Commission . . . , after having studied the available facts in the Rosenberg case, reached a decision that it did not wish to intervene in any way."

Rabbinic Reactions

On an organizational level, the rabbis appear to have been completely silent. My investigation of the Reform Central Conference of American Rabbis Yearbook turned up no mention of the Rosenbergs. Kleiman's similar investigation of the Proceedings of the Rabbinical Assembly of America (Conservative) produced the same results, or lack thereof.

The results are different, of course, when individual rabbis are examined. We have already seen, in some ways, responses of Rabbi Schultz on the right, Rabbi Fineberg in the center, and Rabbi Cronbach on the left. This simple division begins to break down, however, when it is closely examined. Cronbach, for example, never considered himself on the left;

others did. And Rabbi Fineberg may well best have represented not the center, but somewhat to the right of center.

Other rabbis, too, responded to the Rosenberg case--on one side in support of the Rosenbergs or in support of clemency, or on the other side, in total agreement with the convictions and sentences. Although the Los Angeles Community Relations Council stated, "We regret particularly that a man, calling himself a Rabbi, is participating in the latest propaganda campaign of the Communists,"⁵¹ several rabbis did participate in the pro-Rosenberg campaign. Abraham Cronbach was not the only participating rabbi, just the most visible. For example, the Los Angeles rabbi just referred to was Rabbi Franklin Cohn.

Cohn was originally a European. Perhaps this background affected his views of the Rosenberg situation. At the Los Angeles NCSJRC rally discussed earlier, Cohn noted how ashamed he felt for other rabbis who he saw as cowards. Then, he talked of Judge Kaufman, comparing him to the "converted Jew who when he went to pray in the Catholic Church crossed himself three times whereas even the priest crossed himself but once. Being asked why he overdid it he answered, 'The others can afford to cross themselves only once, because everybody knows they are Catholics'."⁵²

Then Cohn totally changed his concern. He painted a picture of Berlin during Hitler's early years, where public enemy number one changed on different occasions from Communist to Plutocrat to Jew. Schreiber, the AJC observer, felt, "The obvious inference is that since the U.S. is now engaged in its fight against Communism the next step would be the fight against the Jews. He calls on Jewry to fight against new ghettos and concentration camps and then shuts up."

In addition to Rabbis Cronbach, Sharff, and Cohn, two other rabbis became well-known Rosenberg supporters. Rabbis G. George Fox and Louis D.

Gross, both Reform rabbis, lent their support to the NCSJRC. Most interesting about these two men was that they wrote for Anglo-Jewish weeklies. Fox, once rabbi of Chicago's South Shore Temple, wrote a column for the Chicago Sentinel and Gross was publisher of the Brooklyn Jewish Examiner. Fox wrote several times that Kaufman's decision was unjust, influenced by "his desire to show that Jews condemn treason."⁵³ Fox let his voice be heard, so convinced was he that the death sentences were undeserved. Gross was similarly critical of Kaufman. Noting that Kaufman said he visited a synagogue to "take counsel with his conscience and God," Gross wrote, "That was a pretty gesture. But he should have gone to the Talmud. . . . According to the Talmud, when the death sentence was pronounced by the Sanhedrin, the Jewish Supreme Court [only] once within a period of seventy years, the Rabbis denounced the judges of the court as 'murderers'."⁵⁴

In explaining why Fox and Gross spoke out, Morris Schappes notes that their papers were independents, not dependent on communal good will for survival. Additionally, he adds, Gross' paper served Brooklyn, which had a large sympathetic Orthodox community.⁵⁵ Yet other rabbis also spoke out, albeit not as loudly. Many were convinced of the Rosenbergs' guilt, but upset over the death sentence. One such man was Rabbi Emanuel Rackman, an Orthodox rabbi in Far Rockaway, New York. Rackman, an anti-Communist and one-time law student, wrote Kaufman appealing for mercy for the Rosenbergs. The letter made an impression on Kaufman and Kaufman called to invite Rackman to his chambers for a talk late in 1952. Of that talk, Rackman recalled:

I had the feeling that Judge Kaufman had really suffered. There was nothing harsh or vindictive in the man. He believed deeply that the United States should draw an indelible line against such crimes for its own safety. Thousands of people had urged him to be merciful, but he felt that such appeals should be addressed to the Rosenbergs, who still

had the power to repent. They had violently betrayed their country, he felt, and their refusal to aid their Government as others had, offered him no grounds for mercy. But I still felt troubled by the death sentence and I said so to the Judge.⁵⁶

Another rabbi uncomfortable with the death sentences was famed Rabbi Abba Hillel Silver of The Temple in Cleveland. In a letter dated October 23, 1952, Silver wrote to Rosenbergs' lawyer Emanuel Bloch saying that although he accepted the guilty verdict and resented the effort to make an anti-Semitic issue, he did find the death sentence unprecedented. Then he stated:

I believe that our country is strong and great-hearted enough to be merciful. Should, therefore, an appeal be made to the court or to the President of the United States for clemency and for commutation of the death sentence, I am prepared to add my name to such a plea.

However, Silver did request confidentiality at that time. The NCSJRC had difficulty respecting this confidentiality and created some bad feelings in the process.

Many rabbis were just plain scared, even though they were uncomfortable about the death sentences. Rabbi Leonard Beerman today admits he was one of these rabbis. He wrote a letter to the NCSJRC saying he supported clemency but would not partake in NCSJRC activities. He then held onto a copy of the letter for years hence to protect himself against any accusations of pro-Communist sympathies. After the Rosenberg executions (which occurred on a Friday before sundown), Beerman added the Rosenberg names to his congregation's Kaddish list.⁵⁷ Confronted by several angry congregants following the services, Beerman lied and said that relatives of the Rosenbergs had asked him to add their names and he could not refuse such a request from a coreligionist.

Several rabbis have already been mentioned who fully supported the convictions and the sentences. Rabbis Schultz and Seligson have been men-

tioned. More generally supporting the American judicial system were rabbis such as Rabbi Rosenblum and Rabbi Fineberg.

PHASE II -- Summary

Jerome Bakst, Director of ADL's Research and Evaluation Department, writes, "The basic position of the ADL, the B'nai B'rith, the American Jewish Committee and the National Community Relations Advisory Council . . . was that no 'Jewish question' or 'Jewish issue' was involved in the Rosenberg case and that they were not the targets or victims of anti-Semitism."⁵⁸ The Jewish center responded to claims of anti-Semitism made by the general and Jewish left by calling any issue of anti-Semitism a false issue. The Jewish center attempted to disprove the claims of anti-Semitism made by the left and finally to inform the public that no Jewish issue existed.

Claims of blackmail arose on both sides. The Jewish organizations of the center maintained that Communists and fellow-travellers were trying to blackmail Jews into the defense of Communists and Communist causes by calling attention to anti-Semitism in the case and, at times, equating it with anti-Communism. The Jewish left, on the other hand, maintained that the center Jewish organizations were trying to blackmail the Jewish community into silence on the Rosenberg case by the false charge that the Communists had injected anti-Semitism. I make no decision here as to which side was correct. Suffice to say that the left began its claims of anti-Semitism several months before the center began to respond.

The Jewish center--especially the AJC, the ADL, and the NCRAC--did all in its power to foreclose NCSJRC affairs. The Jewish left, angered by this, labeled the Jewish center organizations a Judenrat. But one incident perhaps might demonstrate that the AJC did not allow anti-Communist

mania to overtake its concern for civil rights. The NCSJRC had scheduled a March 18, 1953, clemency dinner at which the featured speaker was to be Sydney Silverman, a left-wing member of the British Parliament. He had been invited by the Rosenberg Clemency Committee, made up of several members of the NCSJRC. But Silverman, who happened to be a member of the World Jewish Congress, was refused a visitor's entry visa into the United States under the McCarran-Walter Act. The AJC, angered at the American government's refusal, lodged a protest with the State Department. The AJC noted that Silverman did not have the official support of the NCSJRC and had planned a personal visit. Stressing that it had nothing to do with Rosenberg clemency appeals, the AJC said it viewed the State Department's action as an act of serious injustice.⁵⁹

PHASE III -- From the Executions to the HUAC Hearings

Introduction

On the evening of the Rosenberg executions, the annual convention of the CCAR was taking place in Colorado. According to Jeffrey Marker, one of the rabbis at the convention, Rabbi Stephen S. Schwarzschild, heard Rabbi Fineberg express the view that "it was necessary for the Rosenbergs to be executed to remove the onus of suspicion from the rest of American Jewry."⁶⁰ While Schwarzschild maintains that this is his recollection, Fineberg calls the recollection "absolutely untrue." Fineberg insists that he felt it would have been worse for the Jews if the Rosenbergs were executed and that the most he could have said was, "I thought the Rosenbergs would be executed."⁶¹

I share this small debate not to be critical of any side but to make a point. The Jewish center's reponse to the Rosenberg case did not end with the executions of Julius and Ethel Rosenberg. It entered a new phase

immediately after the executions, a phase almost totally dominated by the AJC.

The Response Continues

The American Jewish Committee, or better, S. Andhil Fineberg, had two major related concerns following the Rosenberg executions. There was a fear of the Rosenbergs becoming martyrs, with the facts of the case getting lost underneath inflated emotions. Of greater concern was the ongoing foreign reaction to the case and the executions. Overseas, there was an even larger chance of the facts falling victim to fiction. The 1954 American Jewish Yearbook's only mentions of the Rosenberg case dealt with foreign reactions.⁶² Thus, in Phase III, we see a change in emphasis. The AJC centered on establishing the facts of the case and tried to make sure that these facts reached foreign lands and people.

As we make our way through Phase III, we will encounter many foreign and governmental contacts. Only the most important are listed in this chapter. Foreign and governmental contacts are given fuller coverage in later chapters.

The Foreign Situation in Brief

Protests against the Rosenberg sentence arose around the world. The protests were loudest and most vigorous in France and Italy. The American Jewish Yearbook did an accurate job describing the situation in France. The report in the yearbook called the French response stronger than that in other European nations but typical. A general feeling existed that the Rosenbergs were not guilty, that David Greenglass had lied, and that the jury had been rigged. People felt that the Rosenbergs should have received a more merciful sentence. They thought the death sentence was a result of American cold war hysteria, with some people convinced that it displayed

basic underlying anti-Semitism in the United States. The reporter for the American Jewish Yearbook agreed that the French protests might have started with the Communists. But he stressed that the protests had spread to massively large numbers of anti-Communists.⁶³

This was the foreign situation after the executions. Unusually large numbers of foreigners, including those in western European lands, did not believe the Rosenbergs had received justice. In their eyes, in fact, the Rosenbergs had become martyrs. This was the fiction the AJC and S. Andhil Fineberg felt they had to fight.

To Combat the Perceived Myths

The AJC and Fineberg were not sure exactly how this new phase should take place. It seemed apparent that this new phase had to appeal to a larger audience, an audience not limited by religion or nationality. It also seemed apparent that Fineberg should guide this new phase; he had guided earlier efforts and was the local in-house expert. Additionally, he had written a lengthy memorandum in June of 1952, which had been sent out to Jewish leaders, entitled "The Communists Find a New Opening: The Rosenberg Case as a Wedge." The memorandum is described above and can be found in Appendix B-4. Such appeared to provide the foundation for further articles.

Phase III thus began with the publication of an article entitled "They Screamed for Justice" in the July 1953 issue of the American Legion Magazine. Not surprisingly, its author was Dr. S. Andhil Fineberg of the American Jewish Committee. First, Fineberg attempted to prove Communist involvement in the Rosenberg campaign by citing an appeal for clemency sent to Truman by the communist Women's International Democratic Federation in East Berlin on November 28, 1952.⁶⁴ He then explained the Communist delay in appeals by saying that they were afraid the Rosenbergs might become in-

formers. Only when it seemed apparent that the Rosenbergs would not talk did the Communists speak up. Yet it was still easy to tell that the Communist party was involved, insisted Fineberg, by simply checking the names of NCSJRC sponsors.

Fineberg then listed the myths the Communists used to inveigle non-Communist support, which included: 1) violations of civil rights which Fineberg noted were dispelled by the ACLU, 2) the claims of anti-Semitism which Fineberg noted were dispelled by the NCRAC adding, "It happens that the Rosenbergs were born in Jewish families. They were renegades who abandoned their religion. Both the judge and the prosecuting attorney were loyal, religious Jews,"⁶⁵ 3) the death sentences being too horrible and a prelude of doom to various minority groups, and 4) the notion that the Rosenbergs were victims of hysteria.

Fineberg also listed the gains the Communists felt they could make. These included: 1) assured the Rosenbergs would not talk, either making it appear the President buckled into Communist pressure by granting clemency or making the Rosenbergs appear as martyrs after the executions, 2) drawing attention away from Communist anti-Semitism, 3) the injection of anti-American propaganda, 4) the creation of fear, suspicion, and confusion among people in America and abroad, and 5) the growth of a major Communist-front organization, the NCSJRC, with newly-gained experience in conducting a propaganda campaign.

Fineberg made several other interesting points. About clergy support for the Rosenbergs, he wrote:

Clergymen, being men of mercy, were especially susceptible and hundreds signed clemency petitions. Their support was used to give the impression which the Communist propagandists wished to make, namely, that a grave miscarriage of justice was being perpetrated, and that all good men should work vigorously to prevent the outrage.⁶⁶

Then, about the appeals made by Einstein and Urey, he added:

The genius of both Einstein and Urey is limited to the physical sciences, on the study of which they have concentrated heavily. In matters of jurisprudence, they are no more competent than the average person, and certainly less competent than experienced jurists.⁶⁷

With this American Legion Magazine article, Fineberg had broadened his concerns. No longer strictly concerned with dispelling notions of anti-Semitism, Fineberg had set out to show that the American system of justice had worked in the case. This was helped when Reader's Digest published a condensation of his article in its September 1953 issue, thus reaching a larger American audience and an even larger foreign audience through foreign language editions of Reader's Digest.

One additional article appeared, but not under Fineberg's byline. The November 1953 issue of Commentary carried an article by Robert Warshow entitled "The 'Idealism' of Julius and Ethel Rosenberg: 'The Kind of People We Are'." The article was written in response to the publication of a volume of letters written by Ethel and Julius Rosenberg mostly to each other or to their lawyer during their time in prison.⁶⁸ An introduction to the article noted that the campaign for "vindication" of the Rosenbergs was still continuing and was especially successful in Europe. One of the very effective methods in keeping it alive was the book of Rosenberg letters. So the introduction to the article stated that Warshow "tries to find in these letters some clues to the personalities of these two people who betrayed the free world in favor of Communist tyranny, and who yet could go to their deaths secure in the conviction of their own rectitude."⁶⁹

Warshow felt that the Rosenbergs had written the letters with publication in mind and thus were not fully truthful. Convinced that the Rosenbergs were guilty, Warshow explained that they saw Communism not as a form of social organization or progress, but only as their own identity. He found their mentions of Jewishness to be an empty pose, suited to their

needs at the moment. Warshow even felt that Ethel Rosenberg internalized her own death. In conclusion, Warshow wrote, "In their crudity and emptiness, in their absolute and dedicated alienation from truth and experience, these letters adequately express the Communism of 1953."⁷⁰

Phase III Broadens

Yet Fineberg felt the need to broaden even further the efforts to fight what he saw as growing fiction. He worried about the anniversary of the Rosenberg executions in 1954 and what might then be perceived as fact. In a memorandum dated September 14, 1953, Fineberg warned that the Communists would continue to exploit the Rosenberg case and asked local AJC people to keep him abreast of developments. As an example, Fineberg cited a confidential AJC report on a post-execution Rosenberg meeting.⁷¹ At that meeting, said the report, was a senile and blind cantor who chanted El male rachamim, a Jewish prayer for the dead. More important from Fineberg's perspective was the talk Mrs. Emily Alman gave.⁷² She reportedly said that the NCSJRC showed that it could get people, even people who disagreed with it, to march together. Then, according to the report, she added, "We showed that we could learn to put on a hat in order to get the support of a rabbi and that we could win friends by saying: these are people with children, these are Jews." Fineberg again saw evidence of Communist-front activities.

So Fineberg worked harder at completing what he felt might be able to counter the growing pro-Rosenberg support and myths he saw--a major book. A discussion of this book and its development is vital to this work. During the writing and circulation of the book, the United States government became involved. Thus, this involvement will be covered in detail in this chapter, rather than putting it off until Chapter V.

In September of 1953, Fineberg had a phone conversation with Merritt N. Coates, a specialist in Western European Public Affairs for the State

Department. As a result of that phone call, Cootes sent Fineberg two chronologies of the Rosenberg case and promised some photographs at a later date. He also related to Fineberg some of the Western European reactions noting, "I think you will be interested to know that the first telegraphic reports that the Communists were using the Rosenberg Case for propaganda purposes came after the conviction of Slansky and the other defendants in the Prague trials, November 27."⁷³ (Cootes' letter can be found in Appendix B-6). By the time the letter arrived, Fineberg was well into his book.

By October 12, 1953, Fineberg sent off a public announcement of his book, entitled The Rosenberg Case: Fact and Fiction, noting that he hoped the book would dispel the growing Communist version of the Rosenberg affair. Ten days later, Morris Fine sent a memorandum to Slawson critical of the book. Fine noted that the State Department had come across a copy of Fineberg's book sent them by the publisher. The State Department invited Fineberg to come to Washington and advised him on some changes agreeable to him for they had hopes of translating the book into 18 languages for 190 United States Overseas Information Libraries. He then added about the State Department, "They do not want an American Legion kind of piece."

Fineberg's book, published by Oceana, was an expansion of his earlier articles, including the one in the American Legion Magazine. Fineberg was convinced of the Rosenbergs' guilt and wanted to convince others of it. And Fineberg was convinced that the Communists were using the Rosenberg case and damaging America and he wanted to warn others about it.

Four points in the book are worth separate mention. Fineberg consistently stresses the differences between the American and Communist systems of justice, with the American system obviously the better. He does take note of the Jewishness of the Rosenbergs again writing, "The chief

recruiter of spies for Russia in the United States [Julius Rosenberg] inevitably drew upon persons of his own stock. . . . The result of this selective process was to render a disservice to members of his own ethnic group."⁷⁴ Then, noting that the Communists raised the Rosenberg case as a diversion from the Slansky case, Fineberg writes of the "Big Lie"--"telling a falsehood, so gross and exaggerated that people will talk about it, argue it, and spread it, with the result that eventually some will believe it."⁷⁵ Finally, Fineberg writes to those confused by the whole affair, "If silent assents could be weighed against protests, demonstrations, carping and mob appeal, there would be no doubt that on balance, American and world opinion believed that the Rosenbergs secured the full measure of justice."⁷⁶

Fineberg's book was the first major work fully covering the Rosenberg case. As such, it drew a great deal of attention--both in the government and outside of it. Of the book, chairman Irving Engel of AJC's executive committee said, "It was favorably received here and the State Department is encouraging its distribution abroad. There is obvious value in the fact that America's answer to world-wide Communist attempts to falsify the Rosenberg case as another Sacco-Vanzetti affair comes from a Jew--in this case a rabbi on AJC's staff."⁷⁷

Many reviews appeared of Fineberg's book and most were favorable. The executive director of the ACLU said that he considered Fineberg's discussion of civil liberties in the case as valuable.⁷⁸ Herbert Philbrick called it a contribution to the cause of truth.⁷⁹ Daniel Poling wrote Fineberg, "You have rendered your country and Freedom's Course in the whole world an inestimable service. . . . "⁸⁰ Favorable reviews appeared

in the New York Times on February 21, 1954; in the Chicago Tribune on December 20, 1953; in the National Jewish Post on January 22, 1954; and in the Jewish Daily Forward on December 27, 1953. Oliver Pilat wrote a favorable review. The New York Journal-American carried complimentary columns by George Sokolsky on January 8, 1954, and by Bob Considine on December 4, 1953. Both columns were syndicated, Considine's going overseas to American military personnel. Walter Winchell's November 26, 1953, New York Mirror column also gave Fineberg's book some play. Fineberg was asked to make television and radio appearances regarding the book,⁸¹ and the AJC kept track of all reviews received by Fineberg and the book.⁸² Fineberg also received congratulations from Hubert Humphrey,⁸³ a review of his book over Voice of America in Hungarian,⁸⁴ and a favorable review of his book in a Liverpool, England, Jewish paper.⁸⁵ However, much to Fineberg's dismay, the book was not mentioned in the Book of the Month Club News while his previous two books had been mentioned.⁸⁶ And some rabbis were not yet convinced by the book of the Rosenbergs' guilt--Rabbi Jacob Fink indicated this in a letter to Fineberg.⁸⁷

In spite of all these positive reviews, several of Fineberg's colleagues at the AJC had different feelings. Morris Fine wrote John Slawson that the book did not make a strong enough case to convince unbelievers, especially Europeans, of the Rosenbergs' guilt. Fine noted the "angry, harsh, aggressive tone in which the book is written" and suggested a more sensitive and intellectual approach. Fine also criticized Fineberg's disorganization and thought a topical, rather than a chronological, approach might be more useful. Finally, Fine was upset by what he thought was Fineberg's concern with the NCSJRC to the extent of lim-

iting coverage of the facts. To conclude, Fine could not understand the State Department's enthusiasm for the book.⁸⁸ Commentary's Elliot Cohen also criticized the book, calling it disorganized, shrill in tone, and reading like an exposé. Cohen did admit that the new information it offered might make up for its weaknesses and thus he could see no damage or benefits from its publication.⁸⁹ And attorney Herbert Ehrmann, chairman of the AJC's administrative committee, while complimenting Fineberg on his book, said he would not review it.⁹⁰

But it was the Jewish left which was most critical of the book, although the Daily Worker refused to cover it, calling its subject too controversial. Louis Harap wrote a scathing attack upon it for the July 1954 issue of Jewish Life entitled, "Slander, Fiction and Fact." Harap began by criticizing Fineberg and his quarantine technique. He then criticized Fineberg's purposes for writing the book. Harap wrote, "In order to ward off fascist assertions that all Jews are 'communists,' the hush-hush elements try to represent Jews as 150 per cent Americans."⁹¹ So the AJC, with Fineberg at its head, tried to prevent Jewish organizations and individuals from actively participating in clemency appeals. But, noted Harap, the AJC's work did not end with the executions. The executions created resentment around the world, Harap maintained, and so Fineberg was attempting to justify the executions for the world.

Harap then attempted to rip apart the book, calling it "a collection of . . . lies."⁹² He again raised the issue of anti-Semitism. More importantly, he explained the delay in worldwide protests and why they erupted in November and December of 1952. They were a result, said he, not of the Slansky trials but of the refusal of the Supreme Court to re-

view the case and of the setting of an execution date by Judge Kaufman. Of Fineberg and his book, Harap concluded, "Fineberg has traded on the lack of public knowledge of the case and aims to confuse the public further. As the evidence brought forward in this review shows, Fineberg is a McCarthyite and Judenrat element in the Jewish community. He has with this book done a profound disservice to American justice and democracy and to the Jewish people."⁹³ Harap made an additional accusation, citing a November 1953 AJC advertisement about the book. He accused the book and its author of State Department influence. He wrote, "Having failed in its own efforts to still protest before the execution, the State Department now uses a Jewish 'leader' for this purpose."⁹⁴ In this accusation, Harap touched upon some truth. A chronological look at the book's development should be helpful.

We have already seen some indications of Fineberg-AJC-State Department cooperation. A series of letters between Fineberg and Philip Hodge, Acting Chief of the Publications Division of the United States Information Agency Information Center Service, offers more indications. Fineberg appears to have written Hodge asking for help to get his book reviewed in the Bulletin of the Atomic Scientists. Hodge responded that an approach from a governmental source might be suspect in the eyes of scientists and suggested that Fineberg follow standard publishing procedures, perhaps with the help of a letter from the AJC over Herbert H. Lehman's signature. Fineberg wrote back to Hodge in agreement.⁹⁵ Then, on November 20, the advertisement that Harap mentioned appeared. Prepared as an order form for the book, it was printed on AJC stationery over Fineberg's signature. In the advertisement Fineberg wrote, "This book will be

published in French, German, Italian, Spanish, Japanese, and other languages. The Hebrew and Yiddish editions will be printed in Israel. The U. S. State Department has purchased copies of the book for all American Information Centers and has recommended it to all of our embassies." Additionally, the order form allowed the rabbis to order the book at 30 per cent off the \$2.50 list price.

A similar letter was sent out by Secretary of the AJC Finance Committee Edwin S. Newman to all area directors requesting that the book find its way to opinion molders. Wrote Newman, the book "is designed to reinforce the views of the majority of Americans, to reassure American Jews and to make a first impact on the minds of Europeans who were completely taken in by the Communist propaganda."⁹⁶ On the same date,⁹⁷ the AJC received an unclassified State Department document which stated: "Dr. Fineberg has discussed details of the book with officers of the Department and the Agency [USIA] concerned with this matter, and the materials reflect most favorably the point of view our interest requires." The document added that it hoped the USIA Paris office would try to interest a French publisher in a French edition. While a French edition never came to fruition (see below), a Japanese edition was made to counter the Japanese translation of Death House Letters of Ethel and Julius Rosenberg.⁹⁸

Fineberg continued to push his book. In December 1953, he gave a talk to the Association of Jewish Community Relations Workers of which he was president. He noted that the Communists would not let the Rosenbergs be forgotten. So he wrote his book, he said, to help counteract this. Also, he said, "one of the reasons I wrote it was that I feared that an unfriendly but competent writer would make it appear on every page that

Jews played the major role in the pro-Rosenberg campaign."⁹⁹

In spite of Fineberg's enthusiasm, problems were developing over the planned translations. Zachariah Shuster, director of the AJC's European office, had doubts about the efficacy of a French translation. To the AJC home office, Shuster downplayed the French reaction. Fineberg then shot off an angry memorandum to Shuster on January 12, 1954, proclaiming:

Would you like me to enlighten the State Department's Information Service by telling them what occurred as you evidently saw it? The picture differs radically from theirs! They do not understand that the Communists in France did nothing but publish one little pamphlet. And shall I tell them that on the basis of the remarkable restraint the Communists displayed we should be similarly restrained and put out just a little pamphlet.

Fineberg remained vigorous in promoting his book. On January 20, 1954, he wrote to the ADL asking them to promote his book.¹⁰⁰ Two days later, the ADL's Joseph Rosner sent out a notice to all ADL regional offices about the book. And the AJC continued to push the book. On February 8, Newman sent out another letter to AJC area directors promoting the book. Newman stressed the book for three reasons: 1) it dealt with the Rosenberg case from an American point of view, 2) it "is useful in terms of reaching non-Jews, since it represents a Jewish rabbi, associated with a major Jewish organization, writing convincingly and unafraid about a nasty situation in which persons referred to as 'Jews' were involved," and 3) it "is useful in terms of reaching non-Jews since it is designed to give them reassurance about an unwholesome situation--the fear of identification of Jews with Communism."

Fineberg was aware of his book's usefulness in terms of non-Jews, as were other people. At Judge Kaufman's suggestion, for example, Fineberg sent a copy of it to the Cardinal of New York City.¹⁰¹ On his own ini-

tiative, Fineberg sent a copy to the Bishop of Salt Lake City. Fineberg also wrote George Sokolsky along these lines, thanking him for his review and mentioning a friend in New Jersey. Fineberg's friend, an attorney, was giving copies of the book to Christian friends in the judiciary and clergy "to tell his Christian friends how he feels in this matter and how, since a rabbi was the author, Jews generally feel about the Rosenberg case, Communism, etc." Fineberg told Sokolsky he liked the idea.¹⁰²

Fineberg remained concerned too, with fellow Jews. He wrote the Chief Rabbi of Brussels, for example, offering him a free copy of the book.¹⁰³ Yet things did not go well for his foreign editions. The non-Communist French daily Le Monde had carried a quite negative review of Fineberg's book, a review which had come to the attention of a person at Paris Cultural Affairs who was in touch with Shuster.¹⁰⁴ Somehow, word got back to the State Department which began having second thoughts about a translation. On February 11, 1954, Fineberg wrote Coates at the State Department to tell him of his desire to get out a French edition of his book in spite of what appeared to be State Department concern that such an edition would create protests. Fineberg tried to bypass the Le Monde review by claiming that it presented his book unfairly and suggested that perhaps the Communists would ignore his book in France as the Daily Worker had in America.

Fineberg's book, The Rosenbergs: Fact and Fiction, was never translated into French. In fact, the only foreign language edition of it to appear was the Japanese edition and that in limited numbers. The USIA did use selected portions of it in pamphlets and portions were quoted in Stars and Stripes. But Zachariah Shuster did feel something was needed to counteract pro-Rosenberg support in France and western Europe. That something

was not Fineberg's book. Shuster then had subsequent contacts with the State Department, which are discussed in the next chapter.

Fineberg, for all his efforts, was often in a minority at the AJC. Shuster seemingly did have an effect over a French edition of Fineberg's book. Fineberg was opposed by AJC Executive Assistant George Hexter who felt he spent far too much time on the Rosenberg case. Once, Rosenberg concerns came to a vote which Fineberg lost. Fineberg had to bring in Slawson to swing opinion back.¹⁰⁵ Yet Fineberg remained an influential man. On March 6, 1954, he left with his wife Hilda on a State Department trip to West Germany to conduct workshops on curtailing prejudice. "The State Department's Office of Public Affairs also feels that he can diminish the effect of the Rosenberg propaganda still being rehashed by the Communists," reported one newspaper.¹⁰⁶ Even as he prepared to leave the country though, the Rosenberg case remained a top concern for Fineberg. On March 1, 1954, he wrote Dewitt Wallace of Reader's Digest asking him to reconsider his decision not to publish a condensation of his book. Wallace had earlier refused, noting that Fineberg's earlier article had already appeared--and in several foreign languages.

The campaign to keep the Rosenberg case from rearing its head continued. At times, the AJC would issue a memorandum in response to some perceived movement from the Rosenberg camp. One such memorandum, issued jointly with the ADL on May 12, 1954, under the names of Milton Ellerin and Dorothy Nathan¹⁰⁷, warned of the upcoming anniversary of the Rosenberg executions saying, "Community leaders should be alerted to the most recent attempt to win the sympathies of the public for ulterior purposes. In the event that a [Rosenberg] campaign is launched in your community, immediate action

should be taken to apprise key individuals in order to prevent the unwary from becoming innocently identified with Communist-inspired projects."

Sometimes the perceived movement among Rosenberg supporters was a publication. One such publication was a book--Wexley's The Judgment of Julius and Ethel Rosenberg. Not surprisingly, Fineberg had to comment on the book in several forums. He wrote an unfavorable review of the book for The New Leader.¹⁰⁸ And he also wrote in a letter, "Mr. Wexley is a writer of fiction and drama, whose record is replete with pro-Communist activity."¹⁰⁹ In this way did Fineberg dismiss Wexley. Famed sociologist and former Commentary associate editor Nathan Glazer also got into the act responding to Wexley's book. Sponsored by an organization called the Tamiment Institute, Glazer conducted an "objective" study on the case and had it printed in the July 2, 1956, issue of The New Leader under the title of "A New Look at the Rosenberg-Sobell Case." Glazer disputed Wexley in several areas, again trying to make obvious the Rosenbergs' guilt. And while Glazer did admit that he felt the crime committed by the Rosenbergs did not deserve death, he knew the law allowed such. Looking at the trial and the evidence, Glazer concluded that not only were the Rosenbergs guilty, they also took with them a story of espionage even more extensive than what was known.

In a December 1, 1953, staff memorandum about his book, Fineberg wrote, "I daresay that a few years hence Dexter White, Harold Glasser, Victor Perla, George Silvermaster, and other names of pro-Russian spies

(alleged and real) will be yesterday's news. . . . The man in the street will have forgotten them. But if the Rosenberg myth is not destroyed, such occasions as the anniversary of their execution will bring renewed propaganda." In a sense, Fineberg was right. All the names he mentioned have pretty much been forgotten--except the Rosenbergs. Perhaps the myth lives on. Or perhaps, as some suggest, a different myth has long covered the truth aching to get out.

The United States government was concerned with the myth. It even held hearings to examine several myths. These hearings begin Phase IV of the AJC campaign; they also begin Chapter V.

CHAPTER V
GOVERNMENTAL INVOLVEMENT

Introduction

Several months after the Rosenbergs were convicted, supporters on the left began to hint about a governmental frame-up. Such hints grew into accusations over the years. Of more direct concern to our study, these hints and accusations have often involved Jewish agencies. During the months leading up to the executions, Jewish Life claimed the existence of a Judenrat, noting cooperation between certain Jewish agencies (in particular, the AJC and ADL) and certain governmental agencies.

While the word Judenrat might not be the proper word, we have seen some cooperation between the State Department and the AJC over Fineberg's book in the preceding chapter. Since claims are being made once again today that Jewish agencies not only cooperated with the government but even collaborated with it, we must look more closely at the contacts made between Jewish agencies and governmental agencies. Once we have denoted such contacts, we must examine them to find out what type of information was shared, how the information was passed, and to what end was the contact made. Then, perhaps, we can determine if the word Judenrat had any validity and if governmental-Jewish agency contacts constituted cooperation, collaboration, conspiracy, or none of the above.

PHASE IV--The House Committee on Un-American Activities--Hearings on the National Committee to Secure Justice for the Rosenbergs and Morton Sobell.

The best place to begin an examination of governmental-Jewish agency contacts is what I have labeled Phase IV of the AJC response--the hearings of the House Committee on Un-American Activities (HUAC) on the activities of the NCSJRC.¹ HUAC undertook an investigation of the NCSJRC in 1955, resulting in public hearings in August of that year and culminating in the printing of the report Trial by Treason on August 25, 1956.

The conclusion of the HUAC report gave an excellent summary as to why HUAC investigated the NCSJRC. In conclusion, the HUAC congressmen reported:

The Rosenberg-Sobell organization serves as an excellent case history. It had every feature of an effective Communist front organization: the broad base of non-Communists; the rigid behind-the-scenes domination by Communists; the camouflage of party rule and objectives by humanitarian appeals and willing dupes calculated to entrap the unwary and the well-meaning into a partnership with conspiracy. . . .

The Rosenbergs themselves are the symbols . . . of Communism itself. . . .

The future will bring other fronts and other causes. . . . Their success can be prevented only by the firm recognition of the fundamental canon of a free society: namely, that liberty cannot embrace disloyalty and still endure.²

Additionally, HUAC felt that a growing campaign to exonerate the Rosenbergs and Sobell called for hearings.³

The HUAC study indicated eight objectives for which the NCSJRC was created; four of those objectives related directly to Jews. Those four were:

1. "To vilify the United States and its institutions and spread the lie that its Government is bent on annihilating minority groups and suppressing genuine political

- dissent."
2. "To create and exploit divisive anti-Semitic propaganda."
 3. "To bolster the Communist campaign to capture American churches."
 4. "To divert attention from anti-Semitic programs in Russia and Soviet satellite nations."⁴

Obviously then, Jews were to be involved in the HUAC hearings.

Not surprisingly, the AJC's S. Andhil Fineberg was approached by HUAC investigators on June 14 and July 21 of 1955. They wanted Fineberg to attend the HUAC hearings and perhaps testify. Fineberg was negative about the hearings and said he was afraid of further reviving the case. He then indicated that he would have to clear
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the invitation with the AJC.

Fineberg promptly sent off a memorandum to David Danzig, Program Coordinator of the Department of Administration, asking what to do. Fineberg suggested, "If it [the Jewish angle] comes in, the best thing for AJC and for Jews is for me to be on hand, working closely with Tavenner, and taking the stand on the third or fourth day if needed, to tell how the major Jewish agencies opposed the Communist-controlled committee."⁶ Danzig then suggested four guidelines for testimony, if requested. Danzig recommended that Fineberg indicate: 1) that the NCSJRC was self-appointed with no status in the Jewish community; 2) that responsible Jewish organizations (especially the AJC) exposed the NCSJRC and rejected its efforts to inject anti-Semitism; 3) that the NCSJRC received no financial support from the Jewish community; and 4) that the United States government had access to all the facts of the case (and thus he, Fineberg, need make no statements of fact about the case).⁷

The hearings began on August 2, 1955. One of the first people quizzed by HUAC was Louis Harap, the managing editor of Jewish Life

who had written the Jewish Life article several years earlier which gave wide publicity to claims of anti-Semitism in the Rosenberg case. Harap felt things had not changed. He accused the HUAC hearings of being anti-Semitic. Fineberg, worried about embarrassment to Jews, prepared to offer a statement.

Fineberg's statement to HUAC was essentially a repeat of Phase II statements by Jewish organizations. It read, in part:

. . . [It is] a well-established fact that all of the responsible organizations supported by the Jewish community whose task it is to combat anti-Semitism came to the conclusion that at no time did anti-Semitism play any part in the Rosenberg case. Moreover, they recognized the fact that Communists were trying to inject the false issue.

. . . It was impossible to keep misguided individuals from contributing financial and moral support to the Rosenberg Committee. But the record of opposition is thoroughly clear. The Rosenberg Committee received no funds from any synagogue, Jewish welfare organization, federation or philanthropy or any of the thousands of other Jewish organizations which have the respect of American Jews and their neighbors. Moreover, the views openly voiced by the Jewish agencies kept non-sectarian and Christian organizations from being duped by the Committee to Secure Justice in the Rosenberg Case.⁸

The hearings continued to August 5 after which Fineberg sent two memoranda back to the AJC. One went to Isaiah Terman, a Fineberg friend and Supervisor of Field Staff of the Community Affairs Department of the AJC. Fineberg related to Terman an incident following Harap's questioning. Fineberg found himself sitting with a group of Rosenberg supporters, one of whom was Mrs. Emily Alman. Another of the Rosenberg supporters turned to Fineberg and asked, "Why don't you join us? You might have tremendous advantages if you came out now and said that you had changed your mind in favor of the Rosenbergs. . . ."

Fineberg responded, "No, I could not do that because Mrs. Sobell convinced me that they were guilty when she fainted that time." Fine-

berg reminded Mrs. Alman of the Far Rockaway meeting of the NCSJRC which he had attended secretly and at which Mrs. Sobell feigned a faint in response to his questions. Mrs. Alman then admitted to Fineberg that the act of fainting was wrong, but still asked him to join them. Fineberg was then even more convinced of the Rosenbergs' guilt.⁹

The second memorandum went to Slawson reporting on the hearings. Fineberg mentioned HUAC's approaches to him, Harap's questioning, and people in attendance. He noted that, in a hearing room of 350 seats, the average daily attendance was only 35. He then indicated that he had wanted assurances that no references to Jewish identity would be injected. He added, "Mr. Tavenner felt that it could not be kept out entirely, but he and the chairman agreed to do whatever they could to prevent the things which I considered undesirable."¹⁰

The HUAC report, Trial by Treason, was printed August 25, 1956--over a year after the hearings themselves were completed. After an introduction presenting the objectives of the NCSJRC, the report offered a chronological account of the NCSJRC campaign, naming names and organizations. Then it examined more closely a dozen of the NCSJRC local branches. Finally, after several chapters covering some major issues including "The Lie of Anti-Semitism," the report ended with a long index of names and with a "Chronology of Developments in the Rosenberg Case" reprinted from The Rosenberg Case: Fact and Fiction, by Dr. S. Andhil Fineberg.

Seven pages of the 137-page report made up the chapter entitled "The Lie of Anti-Semitism." However, the importance of this chapter was heralded by the first sentence which stated, "There was no greater instance of chicanery in the Rosenberg campaign than the determined effort of the Communists and their confederates to spread the lie of

'anti-Semitism'."¹¹ The report stressed that the Communists tried to create anti-Semitism to use it to "convince the world . . . that the American government is controlled by anti-Semitic fanatics bent on the extermination of American Jewry; and that the Rosenberg trial and sentence presaged a domestic rampage of Nazi-like persecution. . . ."¹²

The report noted three objectives of this aspect of the Communist campaign: 1) to create fear that anti-Communism leads to anti-Semitism and that resistance to the march of Communism leads to a Fascist regime in America, 2) to create support for the Rosenbergs and for the Communist program among Jews and their organizations, and 3) to provoke the lunatic fringe of anti-Semites by equating Jew and Communist. These three objectives were obviously drawn from the Commentary article written by Lucy Dawidowicz in 1952 entitled "Anti-Semitism and the Rosenberg Case." The HUAC chapter on the lie of anti-Semitism also cited the May 1952 NCRAC statement, the letter to Judge Kaufman from the Jewish War Veterans, and an ADL memorandum. The report also mentioned those "who abetted the Communist fraud of anti-Semitism"¹³--people like Rabbi Abraham Cronbach and Rabbi Meyer Sharff.

The HUAC report made Abraham Cronbach out as a Communist sympathizer. The local Cincinnati press grabbed onto the HUAC claims and gave them front-page coverage. Cronbach, troubled by the pain the charges brought to his wife, issued a response to the press. Cronbach listed several reasons for his support of the NCSJRC--his opposition to the death penalty, especially his particular concern for a woman on death row; Biblical injunctions calling for mercy; and the reports that had the Rosenbergs confessed, they would have been granted clemency. Cronbach noted that he had never heard anyone voice sub-

version, that he had no desire to see anything hurt America, and that he recognized no "law above the law." He quoted Isaiah 1:17--"Seek justice, relieve the oppressed"--and Micah 6:8--"To do justly, and to love mercy, and to walk humbly." Then he added, "It was these humanitarian ideals that placed me among the 1,074 individuals, the 134 organizations, and the 23 publications which receive mention--with very few exceptions, unfavorable mention--in Trial by Treason."14

One of those few exceptions was S. Andhil Fineberg. Fineberg felt he had the confidence of anti-Communists because of his background and he was able to deal confidentially with the director, members, and staff of HUAC. Not only does Fineberg maintain that he helped one Hebrew Union College-Jewish Institute of Religion employee avoid questioning by HUAC, he also maintains that he kept HUAC from summoning for investigation at least three prominent American Jews. He wrote, ". . . an unrecognized usefulness of my being respected by the HUAC was that in secret I could defend several people who were not even aware of what was happening."15

Fineberg was also to take part in writing two other pamphlets for HUAC. One of those was The Ideological Fallacies of Communism, written in conjunction with Bishop Fulton J. Sheen and Dr. Daniel A. Poling.¹⁶ Each of these representatives of the three major religious groups in America wrote a statement for HUAC on their perceptions of the fallacies of Communism. Stating, "Communism is a totalitarian scheme for regimenting human existence," Fineberg saw a fallacy of Communism with respect to the existence of God. He then wrote, "Lacking a spiritual basis for existence, Communist ideologists conceive of people as having no other worthy objective but material prosperity and military might."

With the publication of Trial by Treason, Phase IV was completed.

Earlier AJC-Governmental Contacts

Contacts between various governmental and Jewish agencies did not begin at the HUAC hearings. They had existed for several years. Even prior to the Rosenberg trials, certain confidential activities were taking place. Although they did not involve direct governmental contacts, they appeared similar to various governmental activities. For example, one confidential memorandum already cited in Chapter IV noted that the AJC's investigative staff should infiltrate leftist organizations, just as it had already infiltrated rightist organizations.¹⁷ One wonders if the AJC then shared the information it picked up on these organizations (who was involved; what activities were taking place) with governmental investigative agencies such as the Federal Bureau of Investigation (FBI). Another example would be a loyalty program, albeit with strict safeguards for employees, instituted by the AJC to weed out Communists. It also appears that the AJC and the ADL had professional workers to read subversive publications.

We have also already seen contacts between the State Department and the AJC regarding Fineberg's book on the Rosenberg case. In Chapter IV, we saw that the State Department shared some information with Fineberg regarding the Rosenberg case and took an interest in translating the book into several languages for distribution in Information Centers around the world. The AJC's European office director, Zachariah Shuster, appeared to have had a major role in discouraging the State Department from going through with the translations. However, Shuster was concerned with the European reaction to the Rosenberg case and maintained contact with the State Department to

do something about it.

On February 12, 1954, Shuster and a colleague had a conference in Washington with Mr. Jesse McKnight and Mr. Cox of the State Department. In a letter sent three days later to Simon Segal, Director of AJC's Foreign Affairs Department in New York, the meeting was described by Shuster's colleague, attorney Seymour J. Rubin. According to the letter, the conference took place to talk about two things--the Rosenberg case and what might be done "to make for better understanding of the United States and its policies in Europe." In terms of the Rosenberg case, Shuster "pointed out that the matter had had a very substantial impact in Europe. He mentioned the fact that the Communists had used an apparently straightforward and factual line with respect to the case, emphasizing those questions which might normally occur to a reasonable and impartial person," such as the difference in sentences meted out to the Rosenbergs as compared with that received by Fuchs in England.

Shuster continued by noting that this made a profound impression on the press and that even the anti-Communist press was taking a line similar to the Communist press "as a result of their being convinced that there was actually a denial of justice . . . in the United States." Shuster then suggested a complement to Fineberg's book--"a strictly factual brief pamphlet prepared by a distinguished European lawyer whose standing would not be questioned." Shuster felt that this lawyer should be brought to the United States to examine case records before preparing his report. But, noted Shuster, "the Rosenberg case is already an irrevocably lost proposition for the United States and that there is no point bringing the case up as a voluntary matter again." It was concluded that the pamphlet should be ready for when

the Communists again raised the issue.

McKnight and Cox liked the idea, the only question being as to whether the government should sponsor the European lawyer's trip. All agreed that the government should not. Additionally, they all agreed that they would have to risk the lawyer making some undesirable conclusions.

The conversation then moved to the extent to which Communist thinking affected non-Communist elements. Shuster thought "that it might be desirable to think along the lines of a Franco-American society, aimed at bringing together more or less intellectual people . . . to have . . . meetings at which the American point of view could be presented."

After some final discussion of the usefulness of the magazine Evidences, Rubin concluded, "My own opinion is that the meeting was extremely valuable in that it brought specifically and directly to the attention of influential people in the Department, the existence of the work which is done by that office. I am sure that McKnight and Cox were impressed and that the contact thus established is an extremely valuable one."

On February 18, Shuster received a memorandum from Eugene Hevesi of AJC's Foreign Affairs Department regarding the February 12 discussion with the State Department. Hevesi made six suggestions, three of which are rather interesting. First, he noted that while "there is less need for countering the Rosenberg propaganda in England, it might make it easier for the prominent French lawyers in question to undertake the suggested role if their position would be bolstered by the fact that leading British lawyers do likewise. In addition, the better understanding of American law by the latter might helpfully

influence the thinking of their French colleagues."

Second, Hevesi agreed that the lawyers should not be guests of the government. Their visit, he suggested, should be sponsored by "some non-sectarian American voluntary organization of unquestionable democratic and liberal repute."

Third, Hevesi disagreed with Shuster regarding the final report. He wrote, "For the case the persons in question do not, in the end, arrive at desirable conclusions, the entire plan as well as their visit here ought to be kept strictly confidential."

The third and last piece of correspondence in this small series was a confidential letter from Hevesi to Shuster on April 8, 1954. Hevesi noted a changed atmosphere over the intervening two months and wrote, "I believe that the recent marked weakening of the position of Joe Mac Carthy [sic] has created a much more favorable atmosphere for the launching of your ingenious plan of publishing a European legal study of the Rosenberg case. . . ."

He then continued:

I say this because it has been my belief all along that the only really undesirable factor which exerted influence in the treatment of the case, was the pressure, and the fear of political repercussions of the pressure, of our demagogues. Only their execution transformed the Rosenbergs, these contemptible creatures, into "martyrs" and "heroes" and their case into a cause celebre for . . . Communist exploitation. . . .

It is quite obvious that if the poisonous atmosphere created by our ultra-patriotic fakers would not have prevented both Presidents from considering . . . foreign . . . repercussions of the executions and from exercising their right of executive supervision of the judgment, there would have been no Rosenberg case.

. . . I believe, therefore, that for the prospective author or authors of the pamphlet, it would be much easier now than it would have been earlier to undertake this task and to produce a balanced analysis, establishing the judicial correctness of the trial on the one hand, and on the other

attributing the actual genesis of the notorious "Rosenberg case" to the pressure on the political level of the extremists whom Communism had helped to undeserved but temporary prominence in America, and who, in turn, so tremendously helped the cause of Communism by preventing administrative commutation.

This set of correspondence can be found in Appendix B-7. It shows one contact with State Department officials, several ideas that might have involved the government but never came to fruition, and scathing criticism of Senator Joseph McCarthy and his supporters and both Presidents Truman and Eisenhower. The Presidents were criticized for not being able to stand up to the McCarthy group.

Yet the AJC had long talked of contact with governmental officials. The same July 1950 confidential memorandum from Flowerman to Slawson discussed above mentioned governmental contacts as one way of combatting the identity of Jew with spy with Communist. The memorandum suggested that AJC officials talk "quietly and discreetly" with leading editors and governmental officials. Additionally, it suggested:

On the highest possible level there should be consultation with Justice Department and Treasury Department officials. It is absolutely necessary to make certain that there has [not] been and is not now any conscious or unconscious bias in the order of arrests, disclosures, etc. Assuming that there is no bias, it would be important to explain to some of these officials some of the dangers arising out of these arrests and disclosures and offer them our fullest cooperation and assistance. It would also be important to point out to these officials that anti-Semitism is often responsible for left-wing activities of minority group members and that certain undesirable ways of making public disclosures can possibly increase anti-minority feeling which in turn may increase left-wing activities of minority group members.¹⁸

As noted in Chapter IV, the AJC warned Jewish organizations in February 1952 to stay away from pro-Rosenberg activities and "that the FBI has been making careful note of pro-Communist meetings and that these pro-Communist meetings will surely go into the record [and] plague the institution and the individuals in its leadership." Yet the AJC did meet with the FBI to talk about the Rosenberg case.

On March 26, 1953, Seymour Samet, AJC Southeastern Area Director, met with two local FBI agents. In Samet's case, the local agents were based in Miami. In a confidential memorandum the following day to Manheim Shapiro, Program Supervisor of the Community Affairs Department, Samet described the meeting. He met with the FBI agents to discuss "matters pertaining to subversive activities" in the Miami area and to make "the agents aware of the areas of our concern." Samet wrote that "it was agreed that we could be of mutual assistance concerning several specific areas of activity."

For example, Samet learned from the FBI agents about various activities of the local branch of the NCSJRC. He had previously been aware of only one meeting, but learned through the FBI agents that other activities, quiet but effective, had taken place. Then Samet delved into an incident at the Miami Beach Jewish Community Center which simply brought out issues already covered that did not relate to the FBI. Shapiro's response to Samet on March 30 did not even mention the FBI, but centered in on the various claims of the NCSJRC. Copies of both memoranda were sent to Fineberg and Director of Community Affairs Nathan Weisman. This correspondence can be seen in Appendix B-8.

The AJC also had minimal contact with Roy Cohn in March and April of 1953. Cohn received a letter on March 24 asking why so many Jews were Communists. Cohn forwarded the letter to the AJC for a reply. Fineberg wrote the reply suggesting that Communists try to make it appear that Communists are Jews and vice versa to shield themselves behind the false charge that attacks on Communism are anti-Semitic. Fineberg then mentioned that many anti-Communist Jews existed and he listed a few, suggesting that one needs to judge each person individually. This short contact with Cohn concludes the contacts between the AJC and

the government except for one described below. We now turn our attention to the ADL.

Current Charges of ADL-Government Collaboration

Marshall Perlin is a New York City attorney who currently represents Michael and Robert Meeropol and the National Committee to Reopen the Rosenberg case (NCRRC) in their various legal efforts to obtain information on and eventually reopen the Rosenberg case. Perlin has been involved in the Rosenberg case and with Morton Sobell since the early 1950's. He led the somewhat successful battle to obtain FBI files pertaining to the case under the 1974 Freedom of Information Act. The NCRRC maintains that the several thousand pages of documents it has received from the FBI so far constitute less than five per cent of the FBI Rosenberg-Sobell files.¹⁹ Perlin and his staff have laboriously poured over all the documents obtained and come across what they feel are rather significant findings indicating actions on the part of Judge Kaufman and the FBI that never should have taken place. These particular actions are not the concern of this study. An additional one is. In a February 1977 speech in San Francisco, Perlin claimed that a letter from the ADL to the FBI urged that the Rosenbergs be convicted. If such is true, the ADL has lied for years about its position on the Rosenberg case.

Let us first examine the current claims and denials. The San Francisco Jewish Bulletin reported Perlin's claims and carried an interview with him in a front-page headline story by assistant editor Phil Bronstein on February 18, 1977 (Appendix B-9). The Chicago Sentinel also picked up the story. However, one look at the first words of the headline can cause some skepticism. Note that it says

"Attorney Perlin Seeks to Reopen 1960's Case"--and remember that the Rosenberg case occurred in the 1950's. This could easily be a misprint. However, the skepticism grows when the major two sentences of the story are read. These are:

According to attorney Marshall Perlin, who since 1951 has been at the forefront of legal [sic] efforts to reopen the case, letters from the Anti-Defamation League to the FBI in July of 1953, urge that the Rosenbergs be convicted. The letters also call for something "to be done" about Rosenberg defense attorney Emanuel Bloch for his "unpatriotic" comments during the trial and suggest that the presiding judge "get the praise and support he deserves."

First, Bloch made no unpatriotic remarks during the trial. In fact, several observers have suggested that his overconcern for American security and patriotism may have damaged the Rosenbergs. His "unpatriotic" remarks came during his eulogy at the Rosenbergs' funeral. Second, and more important, one should wonder why the ADL would urge that the Rosenbergs be convicted in July of 1953 when they not only had been convicted more than two years earlier but had already been executed in June of 1953.

Upon release of the Jewish Bulletin story, Arnold Forster, general counsel of the ADL, issued a denial (which follows the original story in Appendix B-9). Forster wrote:

The ADL was grievously wronged in the Feb. 18 issue of the Jewish Bulletin, falsely charged with having urged that Julius and Ethel Rosenberg be convicted during their trial in the 1950's. ADL deeply believes in the constitutional principles that a man is innocent until proven guilty and is entitled to a fair trial. Nor did ADL ever ask that something "be done" about the Rosenberg trial attorney. No charges such as those made against ADL should be printed without documentary evidence.

Forster summarized ADL Rosenberg activity as an attempt to avoid the injection of the false issue of anti-Semitism and stated that ADL still feels that its position was correct. He then concluded, "Those

who are seeking now, rightly or wrongly, to resurrect the Rosenberg case, have no right to inject into it a false claim of its being a 'Jewish' issue." The Bulletin noted that it, in no way, stood behind Perlín's charges.

The Chicago Sentinel, however, while printing Forster's denial, violently disagreed with Forster (see Appendix B-9). In an editorial, it noted that the Jewish issue was real, that the anti-Semites made it real. The editorial stated:

We disagree with the ADL. The vindication of the Rosenbergs would lift a great burden from the hearts of many Jews who have always been troubled by its impact. It would not be the first time in human history that Jews have been defamed. The fact that they were radicals should not deter us.

Thank the Almighty that McCarthyism is no longer debasing our country. Let's not be afraid to face the truth.

The editorial also noted that Perlín promised a reply to the ADL's denial.

Perlín has yet to reply to the ADL denial. However, he has shared with this author the evidence he has used to impute his claims. An examination of that evidence is called for. Remember that all of these documents, which can be found in Appendix B-10, are facsimiles of FBI documents obtained under the Freedom of Information Act.²⁰ They will be examined in chronological order.

The first document, dated March 20, 1952, is from Assistant Attorney General James M. McInarney to J. Edgar Hoover, Director of the FBI. It is a short paragraph talking about the February 28, 1952, ADL memorandum (previously discussed) to regional offices alerting Jewish groups against supporting various pro-Rosenberg activities. Enclosed with this memorandum was a copy of the ADL memorandum.

The second document is a letter from ADL President Judge Steinbrink to Hoover dated April 1, 1952. Steinbrink is obviously responding to an earlier letter from Hoover. In this letter, we note that Steinbrink enclosed an advance copy of Pilat's article on the Rosenbergs from The ADL Bulletin. The only "ominous" sentence in this letter might be the concluding sentence of the first paragraph. It reads: "Be assured that you may call on me and on our entire organization at any time for whatever cooperation or help you believe we can give."

The third document is a similar letter--this time from Benjamin Epstein, ADL's National Director, to Lou Nichols of the FBI on April 2, 1952. Epstein refers to the Hoover-Steinbrink correspondence, also enclosing a copy of the Pilat article. Then, similar to Steinbrink, he adds, "We have been very pleased with the excellent relationship which exists between our various staff directors and representatives of the Bureau who frequently have sought our cooperation, which is always forthcoming."

The fourth document is the one made famous by Marshall Perlin. It is dated July 1, 1953, and is an FBI memorandum from Nichols to Clyde Tolson. Nichols was the "number three" man at the FBI as Assistant to the Director and Tolson was Hoover's "number two" man as Associate Director. The subject of the memorandum is a telephone call from some unknown person (the name has been censored) at the ADL to Nichols. The call was off-the-record. But the ADL person said that the ADL wanted to send letters to the President, the Attorney General, and the FBI Director denouncing Bloch's comments at the funeral (not, as in the newspaper account, at the trial). Nichols suggested that such confidence in these leaders could be expressed

in The ADL Bulletin. The ADL person also stated that the ADL wanted in some way to give recognition to Kaufman. This agrees with the newspaper account. But the next lines of the memorandum do not. They read: " . . . they [the ADL] felt if they made an award to him [Kaufman], it would not be in good taste since the judge is supposed to do what the facts and his conscience dictate; that furthermore, Judge Kaufman had indicated he would not receive such awards." Nichols suggested another ADL Bulletin story on the vituperation heaped upon Kaufman by Communists.

Nowhere in this memorandum does the ADL call for the Rosenbergs' conviction. I pointed this out to Perlin. He feels that if you know the case, you can see it there. I still cannot see it in this memorandum.

During the years of the Rosenberg case, several ADL staff members did meet with Senator Joseph McCarthy. The meeting was not publicized. When it came to public attention, the ADL stated:

While ADL is not involved in politics, it feels it is discharging an important responsibility to the Jewish community in sitting down with government officials who wish to discuss matters related to our interests. The talk with Senator McCarthy was informal and informational in character and in our view did not call for any official announcement on our part. No part of the meeting involved any commitments on either side nor any endorsement of the Senator's political activity.²¹

This completes the extent of ADL-governmental contacts. The Saturday Evening Post did note that the B'nai B'rith cited Kaufman for "furthering the cause of democratic freedom."²² Whether this has any connection with the ADL can only be guessed at.

Judge Irving Kaufman

For years, Judge Kaufman has maintained complete silence on the

case--even on the Jewish aspects of the case. Such was not always a fact. On June 23, 1952, he wrote a letter to Fineberg noting how disturbed he had become by the "baseless propaganda" put out by the NCSJRC and how this propaganda gave him "great concern as an American and a Jew." Then he noted how gratifying it was to see the AJC and ADL alerting Jews to the NCSJRC propaganda, "lest they become dupes."

I wrote to Judge Kaufman in August 1977 with two basic questions: 1) Did he find claims of anti-Semitism placing additional pressures on him? and 2) Did he feel Jewish organizations responded properly? Kaufman's response came within two weeks. However, it was written by his clerk, who explained:

It has been Judge Kaufman's policy not to comment in any way on the trials at which he presided. While I recognize that your research involves the reaction of the Jewish community to the Rosenberg case, it would necessarily have to concern details of the case. Accordingly, Judge Kaufman cannot be of assistance to you.

What Kaufman could say in 1952, he could not say in 1977. (See Appendix B-11 for these letters.)

One other interesting sidelight regarding Judge Kaufman should be mentioned. Two pieces of correspondence in 1954, one a letter from Terman to Fineberg and the other a memorandum from the AJC's Washington counsel Nathaniel Goodrich to Edwin Lucas, deal with a possible transfer of Morton Sobell from Alcatraz to a less severe prison. The calls for a transfer were coming from the NCSJRC and the AJC wondered if it should intercede. The Terman letter indicates that someone at the AJC, perhaps Fineberg, suggested a meeting with Judge Kaufman. Terman wrote: "I had a lengthy talk with Lucas [Director-AJC Civil Rights Committee] which was resolved in agreement, for reasons which I won't go into here, that the matter be discussed

with Maxwell Rabb rather than with Judge Kaufman."²³ The memorandum indicated that discussions did take place with Rabb instead of with Kaufman. At the time, Rabb was serving as associate counsel to President Eisenhower and as secretary to Eisenhower's cabinet. Rabb strongly advised the AJC not to intercede against the efforts of the NCSJRC (referred to as the Committee in the memorandum and letter found in Appendix B-12).

Governmental Plans

So far, we have examined Jewish agency-governmental agency contacts from the Jewish agency side. One fascinating document the NCRRC obtained from the FBI under the Freedom of Information Act also indicates that governmental agencies contemplated using Jews and Jewish agencies from their side.

That one document is a January 22, 1953, memorandum on the Rosenberg case. In itself, this is not so fascinating. However, it is a Central Intelligence Agency (CIA) document which proposes:

A concerted effort to convince Julius and Ethel Rosenberg, convicted atom spies now under sentence of death, that the Soviet regime they serve is persecuting and ultimately bent on exterminating the Jews under its sovereignty. The action desired of the Rosenbergs is that they appeal to Jews in all countries to get out of the communist movement and seek to destroy it. In return, death sentence would be commuted.

The document can be found in Appendix B-13.

The anonymous author of the proposal points out the main advantage of the proposal: "The Communists Parties throughout the world have built up the Rosenbergs as heroes and martyrs to 'American anti-Semitism.' Their recantation would entail backfiring of this entire Soviet propaganda effort." Then the author talks about the likelihood of success of the proposal. The document suggests that "the Soviet

Doctors' accusations" might come as a shock to the Rosenbergs and that the Rosenbergs might be convinced that the system they were about to die for had betrayed them and was destroying their own people. "In short," concludes the author, "they would be offered two things psychologically: 1) an opportunity to recant while preserving their self-respect and honor; 2) a new purpose in life."

The next area covered is the ethical issue. The document notes that neither gaining a new way to "make clear the sinister purposes of Communism" nor saving two lives can be construed as "immoral." However, adds the document, this whole proposal cannot be coerced and the Attorney General must examine it. Since consideration need also be given to the failure to convince the Rosenbergs, the document suggests that unofficial emissaries be chosen.

These possible emissaries are the concern of the section on suggested approach. As the author writes:

The contact could be made by rabbis, representatives of Jewish organizations, former Communists. . . . Perhaps the ideal emissaries would be highly intelligent rabbis, representing reformed [sic] Judaism, with a radical background or sympathetic understanding of radicalism, and with psychiatric knowledge. Such men can be found. Here again, the viewpoint of the FBI would be of the greatest value.

Then, five last points are made: 1) since "the Rosenbergs already understand that they can obtain commutation if they cooperate with the United States," the emissaries need no formal promise of clemency; 2) "complete confidentiality in the discussions is imperative;" 3) that the date of execution should be stayed until the emissaries ascertain whether the Rosenbergs are interested; 4) a stay of one to two months would be indicated if the Rosenbergs show an interest; and 5) "Should the operation succeed, generous commutation appears indicated--both to encourage others to defect and to utilize the Rosenbergs as figures

in an effective international psychological warfare campaign against Communism primarily on the Jewish issue."

This proposal obviously made it as far as the FBI. We can only guess if it went further.

The Nature of Jewish Agency-Governmental Agency Contacts

The evidence seems unmistakably clear--no Judenrat ever existed and the ADL never called for the conviction of the Rosenbergs. However, certain contacts between the AJC and the ADL on one side and the FBI, CIA, and State Department on the other side did take place. Such contacts took place before the Rosenberg case and probably have continued to take place after the Rosenberg case. We have even seen a contact between the AJC and a presidential advisor regarding NCSJRC efforts to secure a transfer for Morton Sobell from Alcatraz.

Such contacts appear relatively mild. They have not involved conspiracy nor collaboration. They could well have involved the sharing of information beneficial to all parties concerned. Perhaps the AJC even shared information it gleaned from its infiltration activities into extremist groups. Such activities deserve to be questioned. But the claims on the left of governmental-Jewish agency collusion in the Rosenberg case--be it in the 1950's accusation of Judenrat or the current Perlin claims about the ADL--simply do not hold in this observer's eyes. Perhaps our perspectives differ.

Other Responses: An Introduction to Chapters VI, VII, and VIII

We have now completed a rather extensive examination of Jewish response to the Rosenberg case. We have looked at organizational and rabbinic response on the left, right, and center and come up with several patterns. We have also discovered that silence was a response, especially among rabbinic ranks.

To even better understand Jewish response, a cursory comparison with other responses might prove beneficial. Three particular categories of response will be briefly examined--the Christian response in the United States, Christian and Jewish responses abroad, and the response in the State of Israel. Perhaps the examination and comparison may enable us to see if the Jewish community in America responded differently at this time of crisis.

CHAPTER VI

THE CHRISTIAN RESPONSE IN THE UNITED STATES

As many Jewish organizations and rabbis were silent or negative about the Rosenberg case, so were many Christian organizations and clergy. Abraham Cronbach's letter to his fellow Ohio clergymen in February of 1953 and the responses he received provides an excellent example. Cronbach wrote:

The voice of Pope Pius XII, raised in a merciful plea for the lives of Ethel and Julius Rosenberg, establishes the wish of leaders of all faiths that these young parents be spared.

As spiritual leaders in Ohio it seems to me that we have a solemn duty . . . to join our voices in an eleventh-hour appeal to President Eisenhower to reconsider his decision denying clemency.

Time is desparately [sic] short. Will you today send a message to the President, urging him in the name of humanity and compassion to be merciful and spare the lives of the Rosenbergs. I would urge you to speak to your congregation and call upon them to do the same.¹

Cronbach received a majority of his letters back unopened, stamped "Refused--Return to Sender." A few had written back to him simply stating that they would not do as he requested. Others, such as the Reverend Hugh M. Robinson of Cincinnati's Shiloh Community Methodist Church, also said that they would not do as requested but complimented Cronbach for courageously obeying his conscience.² Some Protestant ministers noted that the Pope did not speak for Protestants. Some Catholics simply noted that the Pope's voice was often raised in mercy.

Some responses, of course, were angrily written and contained hints of anti-Semitism. One clergyman suggested that Cronbach return to Russia-- although Cronbach was born in Indianapolis. The Reverend Robert James St. Claire of Cincinnati's North Fairmount Presbyterian Church wrote:

Your letter coming to my desk spurred me to write to the President of the United States. I indicated to him that organized Protestantism is solidly behind the ongoing of justice, and that any clemency granted the Rosenbergs would be favoritism toward an obstreperous minority and a contradiction of the patent will of the American people.³

Cleveland's Reverend C. W. Johnstone similarly but not as viciously wrote Cronbach:

I am astonished at you being a Rabbi and intervening for people who will ally themselves with a God-hating nation and persecutors of the Jews; they should die the death and the death should be equal to their sin against the law of a nation which is so blessed with freedom and plenty. These people are not under Grace, but under the law of Mount Sinai which says "Eye for eye, tooth for tooth, life for life."⁴

The response Cronbach received was not atypical. Many Christian clergy felt quite negatively about the Rosenberg campaign. On a national level, we saw this in the press release from six representatives of the three major religious groups. Two of the six were prominent Christian clergy--the Rev. Dr. Daniel A. Poling, editor of The Christian Herald, and Father Joseph N. Moody of Cathedral College. Their statement, of course, was not vicious as the two previously quoted. Their statement was a response to the injection of anti-Semitism. But, as described in Chapter IV, it was quite negative about pro-Rosenberg support.

Many Christian groups and organizations responded negatively to the NCSJRC campaign. One story, picked up by the Religious News Service on January 13, 1953, should provide a good example. The story talks of the Holy Name Society of St. Ambrose Roman Catholic Church in Buffalo, New

York. The Society was in the process of touching off a movement to flood the White House with anti-clemency letters after passing a resolution calling for letters to back the President. The Society adopted the resolution after the Buffalo District Attorney told how he was prevented from walking down one side of Pennsylvania Avenue in Washington because police allowed "Communist" picketers for the Rosenbergs to march there. In his day, he added, they would have sent in mounted police and broken up the pickets. The Bishop of the Albany Episcopal Diocese urged clergy and laymen to be cautious in signing petitions, especially on behalf of the Rosenbergs.⁵

In spite of all this negative response, what is fascinating is the large number of Christian clergy and organizations speaking out for the Rosenbergs--either against the guilty convictions and death sentence or just against the death sentence alone. To list the many clergymen who spoke out would take far too much time and consume far too many pages. Many names will appear in various discussions below. Suffice to say here that while some of the clergymen who lent support had long been identified with the left, countless others had no such reputations. In fact, some who lent support or made appeals were clergy of national prominence.

Instead, let us examine some of the organizational appeals. Not surprisingly, many Quakers and Unitarians made their feelings known. The Quakers had long opposed capital punishment. Immediately after the death sentences were announced, the Philadelphia Yearly Meeting of Friends wrote to President Truman. The letter stated, in part:

The Representative Committee is not rushing to the aid of traitors but deplors the extension in the field of crimes which may be punished by the imposition of the death penalty. This extension to the Rosenbergs we oppose. The

Committee is encouraging the members of this Yearly Meeting to work for the abolishment of capital punishment in all cases and under all circumstances.⁶

The Unitarians, while not issuing an organizational appeal, also questioned the death sentence. Several Unitarian ministers, including Stephen Fritchman of Los Angeles, not only opposed the death sentence, but also questioned the Rosenbergs' guilt and became sponsors of the NCSJRC. The Rhode Island Universalist Convention tabled a resolution opposing capital punishment in particular and urging clemency for the Rosenbergs only after the intervention of the Convention's President and Superintendent.⁷

Baptist Ministers' Conferences in Washington, D.C., and San Francisco urged clemency. In a sermon carried by the New York Times, the Reverend Dr. Ralph Walker, of New York's Madison Avenue Baptist Church, called for the repentance of Julius and Ethel Rosenberg and for governmental and judiciary officials to be guided by justice and mercy.⁸

The NCSJRC was supported by the Methodist Federation for Social Action. Another Methodist group, the Board of World Peace of the Methodist Church, made an appeal. In a telegram to the President on June 15, 1953, from Reverend Charles F. Boss, Jr., of the Board, a clemency appeal was made for five reasons: 1) to set a humane example to a confused world, 2) to heighten respect for the family relationship, 3) to provide for future justice if injustice should later be discovered, 4) to create better attitudes around the world, especially between Russia and America, and 5) to heighten the status and greatness of American leadership. Another Methodist, the Reverend Henry Hitt Crain of Detroit's Central Methodist Church, allowed a statement of his to be used by the

NCSJRC. Crain declared that he "opposed death for the Rosenbergs" saying that "it implies an altogether unworthy capitulation to the hysterical temper of the times and reveals a recreant willingness to resort to 'scapegoat' devices to appease the homicidal urges of crowd compulsion."⁹

Certain organized clergy activities and appeals specifically regarding the Rosenbergs took place, most not under the official auspices of the NCSJRC. The first such activity was an appeal to Truman on December 31, 1952, involving 159 people, 85 of whom were clergymen. The signers emphasized that, although they had no sympathy for the Rosenbergs, the death penalty was extreme and had never before been imposed in the United States for such a crime. Clemency for the Rosenbergs, said the signers, would demonstrate to the world the contrast to conditions in totalitarian countries and would also assure the world that America was not the victim of hysteria. Among clergy signing the appeal, according to the Religious News Service, were the Reverend Haynes Holmes, minister emeritus of New York's Community Church; Dean Walter G. Muelder of Boston University's School of Theology; the Reverend Donald B. Cloward, executive secretary of the Council on Christian Social Progress of the American Baptist Convention; the Reverend Albert J. Penner, pastor of New York's Broadway Tabernacle Church; Reverend Boss; the Reverend Franklin D. Cogswell, general director of the Joint Commission on Missionary Education of the National Council of Churches; the Reverend A. J. Muste, executive secretary of the Fellowship of Reconciliation; and the Reverend John Oliver Nelson of the Yale Divinity School. The appeal added that its signers had no connection with other groups seeking clemency for the Rosenbergs and deplored the use of the case for anti-American propaganda.

The second clerical appeal was carried by the Religious News Service on January 14, 1953 (the New York Times carried the story on January 13). Dr. Jesse W. Stitt, pastor of New York's Village Presbyterian Church and former president of the Manhattan division of the Protestant Council of the City of New York, said that an open letter with 1,000 signatures and a telegram stating that 500 more signatures had been received were on the way to President Truman. These signatures were those of Protestant clergymen and Stitt added that he had received several hundred since sending the letter and telegram thus totaling nearly 2,000. The signatures were the result of a solicitation mailed out to as many Protestant clergy as possible. Stitt did say an effort was made to reach the entire Protestant clergy in America (estimated at 250,000 by the Religious News Service).

The appeal to Truman stated:

We are not partisans. Our plea does not hang on the decision of the Rosenbergs' guilt or innocence nor the degree of their wrongdoing.

We ask you, in the spirit of the love which casts out fear, to mitigate a punishment of such terrible finality and one which, for the offense, is unique in our history.

With the opening of the New Year, we appeal to you for this sign to the whole world that America today, as always, places her faith in the humane practices of democracy.¹⁰

Among the signers, again not associated with other groups seeking clemency for the Rosenbergs, were the Right Reverend Charles K. Gilbert, retired Protestant Episcopal Bishop of New York; Dr. Robert Hastings Nichols, professor emeritus of Union Theological Seminary; Dr. Bernard Loomer, dean of the University of Chicago Divinity School; Dr. Roland H. Bainton of the Yale University Divinity School; Dr. Robert M. Hopkins,

executive vice-president of the Golden Rule Foundation; and Dr. James Luther Adams of Chicago's Meadville Theological School.

In a cover letter to the appeal, Stitt wrote Truman that the appeal "expresses a collective hope" and follows the "pattern set time and again by American clergymen in each generation."¹¹

Stitt noted that only one written refusal to sign the open letter had come to his attention. The Reverend Dr. John Heuss, rector of New York's Trinity Protestant Episcopal Church, wrote Meadville's Dr. Adams:

I want you to know that I am astonished at your action. I consider the crime which the Rosenbergs were convicted for one of the worst in the annals of mankind.

In view of the fact that the Communist Party in this country is making a determined effort to use people of liberal conviction as a propaganda front throughout the world against the country in this matter, it is difficult for me to believe that you have not been duped into allowing your name and position to be used.¹²

With the change in Presidents from Truman to Eisenhower, another appeal similar to the one forwarded by Stitt was thought necessary. This second appeal was signed by 2,300 Protestant clergy from 28 denominations and from all 48 states, the District of Columbia, the Territories of Alaska, Hawaii, and the Canal Zone, and the Commonwealth of Puerto Rico. It was forwarded by Dr. Bernard Loomer, dean of the University of Chicago Divinity School. Though Loomer had been active in the NCSJRC campaign, he forwarded this appeal noting that the 2,300 were an unaffiliated group. The appeal stated, in part:

I urge you to reconsider your refusal to commute the death sentence of Julius and Ethel Rosenberg.

Together with nearly 2,300 other clergymen, I signed a letter asking for executive clemency.

. . . All of us, as pastors, are in intimate touch with our people; it is fair to conclude that our opposition to

the death sentence is shared by a much larger number of conservative and thoughtful citizens.

.....

We are not questioning the justice of the trial, but we earnestly question the political and spiritual wisdom of the sentence.

Surely we as a country are strong enough to endure the kind of tension involved in the Rosenberg case.

Since this is an inadequate summary of our views, I respectfully ask on behalf of all of the signers that you grant an appointment at which some of our number can present to you personally the considerations which moved us to join in a common plea for mercy.¹³

Another letter from Dr. Stitt to Eisenhower on March 23, signed by 104 Protestant clergymen, referred to the appeal of the 2,300 and asked again for an opportunity for a small delegation to meet with the President. Loomer continued to press for a meeting with the President at a clemency dinner in March with the Reverend Kenneth R. Forbes, executive chairman of the Episcopal League for Social Action.

On June 16, 1953, as the execution date neared, President Eisenhower did meet with a small delegation of clergymen which included Loomer; Cronbach; the Reverend Bruce Dahlberg, a Baptist pastor from Brooklyn; and Dr. Daniel Ridout, secretary of the Baltimore area Methodist Episcopal Church. They were accompanied to the White House by Dr. Charles Stewart, a retired faculty member of the New York City Episcopal School. The four, with Ridout as spokesman, pleaded with Eisenhower for mercy.

Eisenhower, however, responded by stressing two points: 1) that the Rosenbergs could not be imprisoned forever since, if imprisoned, they would come up for parole and 2) that, as he had seen as a general during the war, "there are times when death is the only effective penalty"

serving as a deterrent. As they were leaving, Rabbi Cronbach turned to President Eisenhower and said, "Life is full of problems that baffle our intelligence. All of us need the guidance of God. Mr. President, may you have the guidance of God."¹⁴ Eisenhower did not grant clemency.

One area which merits study is the response of the Christian press to the Rosenberg case, especially to the appeals for clemency. Among the Jewish press, only the leftist Jewish Life spoke up for the Rosenbergs. However, my brief study indicates that a few of the national Christian periodicals leaned towards clemency for the Rosenbergs. A comparison of the Jewish and Christian press would be a valuable contribution.

Many people were skeptical of any positive clerical response, be it Christian or Jewish. Fineberg wrote:

Clergymen, being men of mercy, were especially susceptible and hundreds signed clemency petitions. Their support was used to give the impression which the Communist propagandists wished to make, namely, that a grave miscarriage of justice was being perpetrated, and that all good men should work vigorously to prevent the outrage.¹⁵

The HUAC report, Trial by Treason, was even more critical of those clergymen who took part, in some way, in the Rosenberg campaign and/or in Rosenberg appeals. Trial by Treason covers these clergymen in a chapter entitled "The False Prophets," which begins with a verse from the First Epistle of St. John: "Beloved, believe not every spirit, but try the spirits whether they are of God: because many false prophets are gone into the world."¹⁶

In this chapter, HUAC discussed the role of the clergy. It stated:

The Rosenberg campaign was skillfully designed by the Communists to appeal naturally to ministers, whom the Communists expected to respond to ideals of "peace," "justice," "mercy" with which the propaganda on behalf of the spies was cleverly alloyed.¹⁷

Herbert Philbrick, who "infiltrated" the Communist Party for the FBI,¹⁸ testified for HUAC about the Communists' clerical campaign. Philbrick described two kinds of clergymen. The first kind were those who lent their names and pulpits to the Communist cause because they were "duped into enlisting in a cause they felt worthy." The second kind, who carried out Communist strategy within the sanctuary, were "hard disciplined and trained agents of Stalin who were ministers of the Gospel . . . prostituting the Christian ministry to the evil ends of atheism and oppression."¹⁹

Philbrick used some rather vicious words to describe a large number of well-meaning clergymen who, I am sure, would not describe themselves as dupes or prostitutes. A large majority of them were not Jews. In fact, even considering the difference in overall numbers, rabbis seem to be quite under-represented among those clergymen calling for some form of appeal.

Aaron Antonovsky writes:

As far as I can recall public opinion polls, there was a not-microscopic segment of the American public at large which had doubts about the [Rosenberg] guilt. The difference comes to the fore even more strongly when the question of the death sentence is considered. There were a considerable number of Gentiles--over and above fellow-travelers--who were seriously disturbed by the imposition and carrying out of the death sentence. Yet we find no opposition from the members of our [Jewish] sample.²⁰

Antonovsky's sample was that of laymen. I have taken a look at rabbis. We come to the same general, albeit nonscientific, conclusion.

CHAPTER VII

THE CHRISTIAN AND JEWISH RESPONSE OVERSEAS

The foreign response to the Rosenberg case has been briefly touched upon in Chapter IV. Note was made of the large numbers of people, mostly non-Communist, in France and Italy who felt that the Rosenbergs had not received justice. Such feeling discouraged the publication of Fineberg's book anywhere in Europe. Yet a somewhat closer look is needed. Was the pro-Rosenberg response in Europe simply the result of Communist diversionary tactics away from the Slansky affair, as HUAC concluded in Trial by Treason? Many Europeans did equate the two, sending appeals both to Washington and to Prague. Or was the pro-Rosenberg response in Europe symptomatic of something deeper and more important?

The investigation of foreign response might best begin with the Vatican. In December of 1952, the Apostolic Delegation in the United States communicated to the Department of Justice that Pope Pius XII "had received numerous and urgent appeals for intercession in behalf of Julius and Ethel Rosenberg which, out of motives of charity proper to his apostolic mission, without being able to enter into the merits of the cases, His Holiness felt appropriate to bring to the attention of the United States civil authorities."¹ The Attorney General received the communication and there the communication sat until February 1953.

A new administration had taken office in Washington and no announcement had ever been made of the Vatican communication. Prompted by an Italian Catholic press which had been accusing the Pope of callousness in

not raising his voice to save the Rosenbergs, the Vatican newspaper L'Osservatore Romano revealed on February 13 that the Pope had already dispatched a message to the United States government concerning clemency without entering into the merits of the case. This set off confusion in Washington where a presidential press secretary said that no such notification had been received by the State Department, the Justice Department, or the White House.

The confusion cleared up the following day when Truman's Attorney General announced that he had carried the communication no further when he had received it and when Eisenhower's assistant Sherman Adams received a second communication from the Apostolic Delegation. The second communication repeated the first and added:

Furthermore, I am directed by the Holy See to inform the competent United States authorities that many new demands are being received at the Vatican urging the Holy Father to intervene for clemency in behalf of the Rosenbergs and that Leftist newspapers insist that His Holiness has done nothing . . . kindly notify this to the President.²

The Vatican's communication was interpreted several different ways. The government viewed it simply as a communication of appeals received by the Vatican. The Rosenbergs, surprised by the communication, assumed that the Pope had made a personal appeal on their behalf. Once again, a middle ground would be more beneficial. The Pope did communicate that he had received clemency appeals. The Pope had done likewise in various cases since World War I. However, the Pope did not always pass on appeals. For example, the Pope took no such action regarding the Nuremberg trials following World War II. To strengthen this middle view, on the day of the executions, the Vatican made one last statement. Over Vatican Radio came the broadcast that:

. . . Catholics also had urged clemency for the Rosenbergs but said they favored "mercy," unlike the Communists who are using the Rosenbergs to make political capital.

We wish to recall the prompt and delicate intervention of the Holy Father some months ago. Many bishops are also interested in the case.³

Other appeals were also received from Italy. The Federal Council of Italian Evangelical Churches cabled Eisenhower urging him "to be great in your mercy and spare the lives of the Rosenbergs."⁴ And typical of many other European responses equating the Rosenberg and Slansky situations, the Union of Italian Jewish Communities sent two telegrams urging clemency--one to the President of the United States and one to the President of Czechoslovakia.⁵

As stated in Chapter IV, the response in France was the strongest in Europe, even stronger than that in Italy. As the execution date approached, Maurice Cardinal Feltin, the Archbishop of Paris, wrote an appeal to Eisenhower as head of the international Roman Catholic peace movement called Pax Christi. The Cardinal noted an upcoming summit meeting between the heads of state of Britain, France, and the United States. Stating that world peace was dependent on this conference, the Cardinal hoped the United States would revise the trial results or grant a reprieve. Such an action, he added, would confirm the "words of charity and peace pronounced by President Eisenhower last April in the name of God."⁶ The Cardinal was joined in his plea for mercy by the Bishops of Orleans and Lyon. Finally, with the Cardinal's approval, a special prayer service for the Rosenbergs was held at Notre Dame Cathedral. And, according to the NCSJRC, four French Catholic periodicals urged clemency for the Rosenbergs.⁷

The National Synod of the French Reformed Church (Protestant) asked

Eisenhower to grant a reprieve for the Rosenbergs.⁸ Writer François Mauriac organized a Christian Committee to make a Rosenberg appeal. At the Catholic Center for French Intellectuals, he asked "all French Christians and all men of good will in France to join in an attempt to prevent execution of the Rosenbergs until further evidence could be considered."⁹

But French Christians did not make the only appeals. The Association des Rabbis Francais, the Association of French Rabbis, decided in January 1953 to issue an appeal to Eisenhower but waited until the Vatican's communication was made public, lest the Communists misuse their appeal.¹⁰ The French Rabbinate plea was moving. It read:

The Rabbinate of France, profoundly moved by the death sentence pronounced on Ethel and Julius Rosenberg, but wishing to avoid any exploitation of this plea for political purposes, respectfully appeals directly to you to implore you to use your prerogative of clemency in their behalf.

Troubled in conscience by certain indications, and convinced together with an important section of public opinion, of the extreme severity of the sentence handed down by Judge Irving Kaufman, the French Rabbinate adds its voice to all those others in Europe--sincere friends of American democracy--in asking this measure of clemency in the very name of our common ideal of justice and generosity which we derive from the Bible.

With confidence in the spirit of equity and humanity to which your whole life bears testimony, the French Rabbinate hopes, Mr. President, that you will not allow this sentence without precedent in the West, to be carried out, which, in addition to the persons of the Rosenberg couple, will affect two young children.¹¹

Following the executions, Henri Schilli, the Co-Grand Rabbi of France, spoke at a meeting on the behalf of the Rosenberg children.¹²

Perhaps most moving, however, was a cable sent Eisenhower by the daughter and relatives of Alfred Dreyfus. In the cable, they stated:

In the name of the family of Colonel Dreyfus, to whom world protest--among others that of the people of America--and French justice assured vindication after a sentence obtained in spite of his protests of innocence, we entreat you to prevent the irremediable in order that the Rosenbergs, alive, be permitted the inevitable review of their trial.¹³

France and Italy, while strong in their responses, did not hold a monopoly on other Western European countries. In Great Britain, the Reverend Charles E. Raven, chaplain to Queen Elizabeth II and former vice-chancellor of Cambridge, wrote:

This savage verdict underlines the conviction that America, instead of leading the world to a more righteous and liberal way of life, is becoming so hysterical in its dread of communism as to betray the very principles upon which the Constitution is founded.¹⁴

The Chief Rabbi of Great Britain also urged clemency.¹⁵ The Austrian Jewish community sent protests to both the United States and Czechoslovakia.¹⁶ Of course, non-religious protests were also quite abundant.

Religious responses occurred in other non-Communist countries. The Reverend Glendin Partridge, a Presbyterian minister from Montreal, led a Canadian group to save the Rosenbergs (Partridge was also to preside at the Rosenberg graveside ceremony--see Appendix A).¹⁷ In Australia, Ernest Platz, acting secretary of the Jewish Council to Combat Fascism and Anti-Semitism, sent an appeal.¹⁸ Twenty-three Christian church leaders protested the death sentence in Melbourne. In Sydney, Anglican, Church of Christ, Congregational, Jewish, Methodist, and Presbyterian religious leaders joined together in sending a telegram for clemency to Eisenhower.¹⁹

The Communist countries appeared more restrained in their response. In East Germany, the East German Christian Democratic Union sent a tele-

gram to Archbishop Aloysius Muench of Fargo, North Dakota, the Papal Nuncio to Germany, requesting him to intervene in behalf of the Rosenbergs. This followed a similar request to Pope Pius XII from the East German Deputy Premier, who was also in charge of church affairs. The Deputy Premier also attacked the Evangelical Bishop of Berlin for not making an appeal while visiting the United States.²⁰ In Poland, with the help of author Leib Olitzky who was also co-owner of the publishing firm ״ידיש בוך״ (Yiddish Book), two booklets appeared in Yiddish. One was entitled Julius and Ethel Rosenberg Must Not Be Killed and the other was a translation of Death House Letters. Yiddish Book was located in Warsaw.

Religious response around the world appears to have been far more vocal and favorable to the Rosenbergs than in the United States. Only in the Communist world did the religious response seem muted--perhaps because religion itself had been muted behind the Iron Curtain. Leslie Fiedler, in an article quite critical of the Rosenbergs, offered some cogent words to explain both these phenomena. He wrote:

In the Rosenberg case, a part of the world (that part, at least, still not hopelessly poisoned by Communism) turned to America for a symbolic demonstration that somewhere a government existed willing to risk the loss of political face for the sake of establishing an unequivocal moral position.²¹

CHAPTER VIII

THE ISRAELI RESPONSE

Introduction

A third area of comparison is the Israeli response. Israel was a very young state, only two years old when the Rosenbergs were arrested and barely five when they were executed. During those three years, two people with very identifiably Jewish names sat awaiting execution. How did the Jews in the new Jewish state respond?

The Israeli response remains an excellent area for future research. A couple of high points have been briefly mentioned over the years. However, no one has studied the Israeli press reaction at all. A beginning has been made here with a cursory examination of the English-language Jerusalem Post. With this beginning, perhaps someone can delve into the Hebrew language press.

A Chronological Account of the Highlights of the Israeli Response

The first major response to the Rosenbergs in Israel was an unsuccessful attempt in May and June of 1952 to get a resolution on behalf of the Rosenbergs through the Knesset, Israel's parliament. Yet six months later, defense lawyer Bloch said to Judge Kaufman in an argument for clemency, "What is there about this case that has aroused the world? What is it that prompts fifteen members of the Israeli government to cable me a protest of your sentence? What is it that has caused France to burn with indignation at the case?"¹ The Knesset had not passed such a reso-

lution. Bloch never produced the telegram. And one day later an official spokesman of the Israeli Consulate General in New York said, "I am authorized to state that at no time has the government of Israel or any of its members cabled to Mr. Bloch in reference to this matter or any other matter."²

The government of Israel may not have cabled an appeal, but several rabbis and religious leaders in Jerusalem did cable an appeal to President Truman in November 1952. Several conflicting reports exist concerning the number of rabbis and sages who signed and which ones signed. But no conflict exists regarding the text of the cable. The full text, copied from a NCSJRC leaflet, may be found in Appendix B-14. It read, in part:

We the undersigned rabbis and religious leaders of the Holy Land take the liberty of addressing your excellency, pleading with you to exert the power of clemency given you in the tragic case of Julius and Ethel Rosenberg. We dare not enter into the details of th [sic] trial which ended in a judgment of guilt and death sentence, though it is difficult for us to imagine that Jews anywhere in the world, particularly in a land as rich in merit as the United States of America, would act against the interests of their country. At least we know of no such happening in the long history of the Jewish people.

Let your excellency call to mind the millions of guiltless Jews who lost their lives at the hands of the Nazis during the Second World War and the clemency that was extended to the perpetrators of those murderous and cruel acts of monstrosity. We honestly believe that an act of clemency in this case is exceedingly vital and your name as Chief Executive of an honorable portion of mankind, your deep religious feeling, and your awareness of the spirit of good within you leads us to lay before you this, our humble petition, in full hope that you will grant it.

God alone knows the whole truth. May this, your clemency, be a fitting crown to your great career.

The number of signers reported varied between eighteen and twenty-one. A November 19, 1953, Jewish Telegraphic Agency (JTA) report on the cable included Israel's two Chief Rabbis, Isaac Herzog and Ben Zion Uziel, among the signers. A New York Times report of the same day said that, while officials of the Chief Rabbinate were among the signers, neither Chief Rabbi had signed the cable. Then, a November 24 JTA report said that Rabbi Herzog denied he ever signed the plea while Rabbi Uziel regretted that he did sign the plea.

An American rabbi, S. Andhil Fineberg, found the publicity given the Israeli rabbi appeal disconcerting. So he wrote a letter to the editors of the New York Times which was published on November 22. Fineberg noted the international pro-Rosenberg Communist campaign which duped innocent people into support of the Rosenbergs. Fineberg found these Jerusalem rabbis, as men of mercy, being used by the Communists, although they, themselves, were anti-Communists. Then Fineberg concluded:

The Jerusalem rabbis can hardly expect others to believe that the excellent patriotic record of Jews throughout history has bearing on whether the Rosenbergs committed espionage. Renegades appear in even the best families. These Jerusalem clergymen, despite good intentions, have simply injected an utterly irrational and illogical reference to group identity which the Communist network will surely exploit.³

Other appeals followed that of the rabbis. In December 1952, an appeal reached Washington from workers at the Fertilizer and Chemical Works in Haifa.⁴ Several weeks later, Mrs. C. Iran, Haifa Communist councillor, asked the Municipality of Haifa to support a Rosenberg pardon. She was defeated, the other councillors asking her why she had not requested the same for the Slansky defendants. She responded, "They admitted their guilt."⁵

In May of 1953, eighty-four Israeli intellectuals sent a letter of appeal to President Eisenhower. The letter said in part:

From Jerusalem, the eternal capital of the People of Israel, the city of peace and prophetic vision, scientists, artists, and men of letters together with the intellectual elite of the entire world, fervently request you to pardon Ethel and Julius Rosenberg.

The whole world is waiting for pardon.⁶

Among the signers were names such as Agnon, Buber, Carmi, and Halkin.

Two small demonstrations occurred in Tel Aviv--one before and one after the executions. A group of Communists were dispersed by police on Friday evening when they gathered at the United States embassy to plead for clemency. The following day 200 people gathered, again at the embassy, to protest the executions. A small demonstration also occurred Saturday afternoon in Haifa, with protestors marching down Herzl Street.

Also following the executions, an Israeli kibbutz offered to adopt the orphaned Rosenberg children. The kibbutz, Ha-Ogen,⁷ was located in the Plain of Sharon and affiliated with ha-Artzi, the Ha-Shomer ha-Tza'ir kibbutz movement. Kibbutz Ha-Ogen had been founded in 1947 by settlers from Czechoslovakia. Additionally, a Hebrew translation of Death House Letters was published in Israel.

The last major Israeli response came at the 1953 World Jewish Congress. Pro-Soviet Mapam delegate Moshe Erem of Tel Aviv questioned Dr. Nahum Goldmann's objectivity since Goldmann omitted any reference in his speech to the "anti-Semitic manifestations growing out of the Rosenberg case in the United States." Prompt American response from Louis Segal of the American Zionist Laborites and Dr. Maurice Perlzweig took care of the matter. Segal asked, "Why did you not complain of the fact that Dr.

Goldmann did not include the Slansky trial . . .?"⁸

Even today, articles about the Rosenberg case appear in Israel. And supposedly, near Yad Hannah, a Maki (Communist) kibbutz close to Netanya, stands a memorial forest for the Rosenbergs.

Coverage by the Jerusalem Post

The Jerusalem Post did not carry anything on the Rosenberg case until March 15, 1952. For two years, from arrests to trial to sentencing to imprisonment, the Post perhaps did not consider the case newsworthy enough to report on. The March 15 story discussed a Rosenberg appeal to the Supreme Court. Then silence descended again until October 14, 1952, when the Rosenbergs lost an appeal. From November 1952 through February 1953, the Post did carry a number of Rosenberg-related stories. Most were short wire service stories from the Associated Press, the International News Agency, United Press, or Reuters placed on the front page. The Post gave far more comprehensive coverage to the Slansky affair in Prague and to the Doctors' Purge in Moscow. In June 1953, however, the Rosenberg appeals and execution daily made large front-page stories.

The Jerusalem Post also carried several interesting columns. In the "Marginal Column" by "Commentator," the long wait before the protests was examined. Commentator explained this by saying that the Communists were hoping for two martyrs and were acting as "King David did when he gave Uriah the letter." The Communist effort to exploit an anti-Semitic issue is noted but Commentator still comes out for clemency.⁹

A January article by Post American correspondent Jesse Lurie agreed with the guilty convictions but wondered about the death sentences. Lurie

concluded that the death sentences were to get the Rosenbergs to talk. Lurie also noted one Rabbi I. Usher Kirshblum of Kew Gardens who was worried about the Rosenbergs' Jewish name in future generations. Killing the Rosenbergs now, felt Kirshblum, would send their secrets to the grave.¹⁰

A column by Ze'ev Laquer appeared on the Post's front page on June 21, immediately after the executions. Laquer stated that the international effects of the executions should have been considered. The executions were a tragedy, he said, adding, "the lack of charity and wisdom displayed in Washington bodes little good." A similar page one column by David Courtney appeared the following day. Courtney did not question the Rosenbergs' guilt, but lamented the ugly world which caused their deaths. The world was ugly, he said, because of the despotism of fear. The fear was so bad that he concluded "that a kindly man in whose gift was mercy [Eisenhower], dared not exercise the gift."

The Post itself ran only one editorial on the case entitled "The Quality of Mercy." Stressing that too much cruelty and violence was loose in the world, the editorial called for moderation. It concluded:

From Israel, the ancient plea goes forth "berogez rachem tizkor--in indignation remember to be merciful."¹¹

Views of Other Israeli Newspapers

This section might well be a sneak preview of what serious research could uncover in the Hebrew-language Israeli press. It is based on a daily column in the Jerusalem Post called "View of Yesterday's Press." The column offers a daily synopsis in English of editorials in the Hebrew-language papers. Thus, this section can, in no way, be considered com-

prehensive. However, it serves as an excellent introduction.

The Communist paper, Kol ha-Am (קול העם) loudly proclaimed its opposition to the convictions and death sentences. For example, Kol ha-Am maintained that "mad warmongering Wall Street imperialists, thirsty for the blood of proud Jewish fighters for peace, had not been able to break the Rosenbergs."¹² Kol ha-Am also maintained that the Rosenbergs "were sentenced to death on the strength of false evidence of a man who had lost his sanity [David Greenglass]."¹³

Mapam's paper, Al ha-Mishmar (אל המשמר), sounded nearly as critical as Kol ha-Am. Before the executions, Al ha-Mishmar was hopeful that the United States would show clemency and thus let "reason and understanding triumph over the 'witch hunt' atmosphere."¹⁴ However, after the executions, Al ha-Mishmar called the Rosenbergs scapegoats chosen by the rulers of the United States "as a sacrifice on the altar of anti-Communist hysteria" and regarded their execution as "a further victory of McCarthyism, of hatred toward all social idealism and progress."¹⁵

The papers of the Histradut (Israel's labor organization), Davar (דבר) and Omer (אמר), both called for clemency for the Rosenbergs. Davar said that the entire population of Israel shared the hope that the Rosenbergs' lives would be saved. Davar took its stand for clemency without necessarily being convinced of the Rosenbergs' innocence and in spite of the "hypocritical" Communist propaganda which ignored the Slansky trials and the Moscow doctors. Davar added, "While we do not ignore the Jewish aspect of the Rosenberg case, our call for clemency is mainly motivated by considerations of a more general nature. . . . Democracy, as distinct from totalitarian regimes, does not require the electric chair and gal-

lows."¹⁶

Nathan Alterman wrote a poem along these same lines pointing out that not only were the Rosenbergs' lives and their children's happiness under the shadow of the electric chair, but so also was the soul of democracy. Alterman wrote in Davar, "The very fact that the conscience of Democracy has dared to challenge the executioner, and defy hysteria, is no mean achievement, although the outcome is still in the balance."¹⁷

Davar regretted the executions. Though it stated that it understood why the death penalty was imposed, it added, "Many believed, and are continuing to believe, that the commutation of the sentence would have been a severe blow for the propagandists of murderous totalitarianism."¹⁸

Omer also expressed disappointment that the death sentences were not commuted. But Omer also criticized the Communists for trying to make political capital out of the Rosenberg case and asked, "Was Slansky allowed to appeal to a higher instance and how many times?"¹⁹

Davar and Al ha-Mishmar got into an argument following the executions. Al ha-Mishmar accused Davar of "justifying the execution of the Rosenbergs." Davar retorted that it had called for mercy while Al ha-Mishmar had never dared protest against the executions of many thousands in Eastern Europe or against the Slansky trial.²⁰ Davar followed this up with a cartoon made up of two panels. Each panel contained a weeping orphan. The first orphan held a sign saying, "I protest against the execution of my father, Julius Rosenberg." The second orphan held a sign saying, "I am overjoyed that my father, the traitor, has been hanged. Prague."²¹

Al ha-Mishmar responded to Davar by claiming that it had disagreed with aspects of the Prague affair. But, added Al ha-Mishmar, Davar had

"been more American than the Americans" in the Rosenberg case "concurring that" the Rosenbergs' crime had "changed the course of history and endangered the lives of millions. Such a statement is tantamount to the servile cringing of the Washington rulers."²²

Summary

In spite of the bickering between a couple of Israel's newspapers, most Israelis deeply hoped the Rosenbergs would be granted clemency. They yearned to see America prove herself different from the totalitarian regimes of the East.

CHAPTER IX

CONCLUSION: WERE WE AFRAID OF GHOSTS?

Both World Wars were followed by Red scares in this country. We have examined one episode of the Red scare following World War II. We have discussed the apparent vulnerability of Jews during this episode called the Rosenberg case. Jews were prominent in areas particularly exposed during the Red scare--in entertainment, in academia, and in science. Many Jews had long-standing relationships with leftist and Communist organizations and other Jews had flirted with these organizations in years past. And while Jews had begun moving up into the upper middle classes, anti-Semitism and the Holocaust remained vivid memories.

Congressman John Rankin rose to speak in the House of Representatives waving a list of "subversives." About that list, he remarked, "There is not a white Gentile in the entire group."¹ Some blatant anti-Semitic literature arose. Quotations from one book, published in the mid-1950's and circulated in the late 1950's and early 1960's, can provide an example:

All the accused in the atom espionage trials, without exceptions, were Jews. And we will see that behind them stood the whole of world Jewry. During the trials the U.S. had to avoid the slightest appearance of "anti-Semitic" tendencies, unless she wanted to be declared bankrupt or have an economic crisis. Thus the case against Julius and Ethel Rosenberg had to be assigned to a Jewish judge--Justice [sic] Irving Kaufmann [sic] --whom the whole of world Jewry regarded as a destructive opportunist [sic] traitor to the Jewish race. Sypol [sic], the New York district attorney, was a Jew too. Finally, besides the accused, a Jew called Bloch was the defending counsel.²

.....

The other symbolic figures of this world-conquering nationalism were the Rosenberg couple. They are typically small, unimportant people who . . . handed over the atomic secret out of sheer racial conviction, i.e. doing it as part of their duty towards their own people. . . .

. . . According to the law the Rosenbergs were spies; they were traitors to America.

Nevertheless, ninety-nine percent of world Jewry, the capitalists and proletarians, the residents of luxury villas of the Sea Gate and of the slums in the Bronx, the Jews . . . of every capital city in the world, united solidly in demonstrations to force the "nazi-fascist-Hitlerite" Eisenhower to exercise his presidential prerogative of mercy. In the eyes of decent patriotic American citizens, this whole campaign with its picketing, appeared like a Communist demonstration. . . .

In five continents capitalists and Communists, highly cultured intellectuals and simple Talmudists all joined forces to save two Communist spies. . . . On Union Square in New York, the Irish policemen were hardly able to cope with the situation brought about by fainting fanatical Jewesses collapsing when they heard that their adopted country, the United States, had executed the traitors. . . .

.
From now on, President Eisenhower, the latest successor of Washington and one of the executors of the Morgenthau Plan, could count on the fact that his name too would be on the black-list of "war criminals" and "enemies of the people."³

Perhaps Jews in America had something to fear. In retrospect, Benjamin Epstein feels that many people with the ADL were sympathetic at the time to the Rosenbergs but worried as to whether or not the case would be perceived as a Jewish issue.⁴ Lucy Dawidowicz was fearful of what the left campaign might cause. She wrote:

It is obvious that the Communists, by . . . propaganda, aim to enlist Jews in the defense of Communists and their interests. But it is equally obvious--or should be--that the Communists are also engaged in an insidious campaign, which if it succeeded could only serve to establish guilt (though they call it "innocence") by false association. Because a spy or a Communist is a Jew, the Communists proclaim that all Jews are collectively involved. More--the Communists

take it upon themselves to make this involvement a reality, so far as their powers permit. That, in the process, great damage may be done to American Jews, far from restraining the Communists, seems only to encourage them. It is well to be on guard; we have seen how similar campaigns of identification and accusation have strengthened the hands of anti-Semitic forces elsewhere.⁵

Yet Jews were simply afraid of what the Rosenberg case might indicate. Aaron Antonovsky's 1953 study of fifty-eight Jewish men in a medium-size Eastern city points out that Jews were at least uncomfortable, if not also fearful, about the Rosenberg case. Antonovsky noted that all fifty-eight of his respondents were aware of the Rosenberg case and of the Jewishness of all the principal characters involved. Many took the trouble, however, to point out to the interviewer (who they ascertained was Jewish) that several of the other characters, such as Fuchs, were not Jewish. This dual awareness, wrote Antonovsky, indicated "some degree of sensitivity to the ethnic identification of alleged Soviet spies."⁶

Antonovsky probed deeper. Regarding Judge Kaufman's sentence, a large majority raised the question of empathy and understanding to point out its absence. A majority felt that "Judge Kaufman, precisely because he was Jewish, had no alternative but to impose the death sentence. A Gentile judge might or might not have done so; certainly the law permitted it, and the crime might have warranted it. But a Jew could only have acted in one way."⁷ Then Antonovsky listed the two factors that led to this feeling about Judge Kaufman's situation. The first was a general belief that a sentence short of death, decided upon by a Jew, would result in some anti-Semitism. This combined with a second belief,

that Kaufman could only feel hatred for the Rosenbergs. "This phenomenon is . . . well-known: What greater hatred is there than that of the 'loyal' (to whatever cause or group) to the ex-loyal, the 'formerly one of us' turned traitor? The respondents' sentiments are projected onto Kaufman."⁸

At this point in the interviews, Antonovsky noted the discomfort. He wrote:

. . . At first, there is a vigorous denial that the Rosenbergs were Jewish: They were atheistic Communists, belonged to no Jewish organizations, etc. However, the very vigor of the denial reveals, and the respondents quickly acknowledge, that this is not the case: in the final summing up they said, in essence, 'once a Jew, always a Jew.' But they go beyond this: whether we see the Rosenbergs as Jewish or not is beside the point; all of America knows that they are Jewish.⁹

. . . For Jews, Rosenberg was "one of us" and hence his guilt is "our guilt."¹⁰

The respondents shared some other general feelings in the Antonovsky study. One was that Jews, as a minority, should consistently display higher standards than Gentiles. The Rosenbergs violated these standards and thus betrayed the Jews. Antonovsky also noted the fear that the Rosenbergs' crime "--if not mitigated by a death sentence imposed by a Jewish judge, in response to the pleading of a Jewish prosecutor, or even despite this--" might "bring to the fore the latent anti-Semitism existing in America."¹¹

Concluded Antonovsky:

The American Jew . . . premises his psychological security, his sense of ethnic identity, upon acceptance by "goyim," but he feels that the "goy" has let him down by not really accepting him. The Rosenberg case, then, does not raise the fear of a wave of anti-Semitism. It does, however, provide the "goy" with excellent grounds for expanding his refusal to accept the Jew as an American.¹²

Did Antonovsky's respondents have much to fear in reality? More generally, was the discomfort felt by many Jews based on an imagined reality or on fact? The American Jewish Committee decided to find out, so concerned was it with the possible growth of anti-Semitism. The AJC had been involved over the years in canvassing selected samples of people to analyze public opinion. Dr. Samuel H. Flowerman, Director of the AJC's Scientific Research Division, suggested a poll in July 1950 to find out the extent of public identification of "Jew" with "Communist" and with "spy". Much of the AJC's polling was conducted by the National Opinion Research Center (NORC) of Chicago which, in 1950 and 1951, was working on other nationwide polls for the AJC. So two rider questions were developed and placed into another poll on a different subject and put into the field on two different occasions--November 1950 and April 1951. Needless to say, the results are fascinating (and may be found, in part, in Appendix B-15).

First, mention should be made about the two samples. Both were almost identical--1,289 people of whom 1,058 were white Christians. Second, the purpose of the rider questions should be quoted:

. . . to determine any trends in criticism ("talk about") against Jews as well as to tap awareness of the conviction and death sentence of Julius and Ethel Rosenberg.¹³

Third, the questions and results should be examined, as they were on a May 4, 1951, confidential memorandum from Flowerman to Slawson.

One question asked:

Have you heard any criticism or talk against Jews in the last six months? (If yes) What?

The results to the first part of this question were:

<u>(Total White Christians)</u>	<u>Nov. 1950</u>	<u>April 1951</u>
Heard criticism	24%	16%
Have not heard criticism	76%	84%

A drop of 8% took place in the six-month period--the exact time of the trial, convictions, and sentencing of the Rosenbergs, Greenglass, Gold, and Sobell. The drop, according to the analysis, was due to a decrease in positive responses among Protestants.

The second part of this question offered results just as interesting. The two major criticisms of concern were "Communist" and "spy." The fascinating results were:

	<u>Nov. 1950</u>	<u>April 1951</u>
Spies	.6% (7 individuals)	1.9% (20 individuals)
Communists	1.1% (13 individuals)	.9% (10 individuals)

The identification of spy and/or Communist with Jew seems almost nil.

A second question asked:

As far as you know, has anybody in the United States been accused of atomic spying? (If yes) Do you happen to remember the names of any of the persons accused? What were their names?

Most people surveyed were aware of the accusations of atomic spying--59% in November and 67% the following April. And awareness of the Rosenbergs and Greenglass did increase in the six-month period--from less than 2% to about 33% for the Rosenbergs and less than 20% for Greenglass.

Flowerman concluded:

In summary, reports of talk or criticism against Jews has decreased. There has been no change in the stereotype of the Jew as a Communist. There has been an increase in the stereotype of the Jew as a spy from less than 1% to almost 2%, but the magnitude is still small.

Specific names of Jewish atom spies are better known, no doubt as a result of the public trial. . . .

The results of this poll challenge the feelings expressed by Jews in Antonovsky's survey. The white Christians polled in the AJC-NORC survey do not seem to be prepared to blame all Jews for the Rosenbergs. Nor do the Christians seem willing to jump at this excellent chance, as Antonovsky put it, to refuse to accept Jews as Americans. A poll taken after the Rosenberg campaign and appeals in July 1953, did show an increase in people who said "Jews are traitors;" the increase went from 1% to 4%.¹⁴ Yet even with this increase, all the numbers are incredibly small. The perceptions of the Jews in Antonovsky's study (and perhaps of many other Jews) were simply not matched in reality.

Other poll question results from the AJC during these years strengthen this conclusion. One question asked, "Can you think of any kinds or groups of people in the United States who are more likely than others to be Communist?" From 1950 to 1954, the percentage of respondents naming Jews dropped from 4% to 1%¹⁵--thus contradicting the July 1953 survey. Even when presented with ready-made lists of groups, parallel responses emerged.

Of course, some contradictions appeared in the polls. One came as a result of the question, "Some of the people accused of atomic spying are included in this list. Can you tell me which ones they are? You may remember some of the names when you see them."¹⁶ While some of the names were real, others were fictitious--some Jewish-sounding (like Max Finkelstein) and some not (like David Carpenter). The fictitious non-Jewish names were "remembered" by 3% of the sample while those with Jewish names were "remembered" by 20% of the sample. Sociologist Charles Stember explained this contradiction in part, by people

simply identifying the names as foreign sounding, i.e. non-Anglo-Saxon. Perhaps, he added, some people also responded to the fictitious Jewish-sounding names because they simply recalled that some of the accused spies were Jews.

An unpublished report to the AJC and the ADL by Leo Srole entitled "The Perception of Jews as Communists and Spies" in 1951 also seemed to offer some contradictions.¹⁷ Srole demonstrated that some people with strong anti-Communist concerns were more receptive than others to the idea that Jews had a stronger chance to become Communists than other groups of people. Srole suggested the same in terms of strong anti-Semites and observed that prejudiced people are ready to grab onto every new slur. Yet these contradictions, if one may call them such, in no way detract from the general conclusion. Sociologist Stember voiced it well:

In the aggregate, then, our data strongly indicate that even during the early 1950s--a time of great concern over Communist infiltration and espionage--a large majority of Americans refused to associate Jews as a group with Communism. Though several of the Soviet spies then being tried and convicted amid the utmost publicity happened to be Jews, only small fractions of the public adopted the idea that Jews per se were more likely to be Communists than other people. . . .

The notion of the Jew as a congenital radical, never more than a minority opinion in America, actually seems to have come close to extinction in the postwar decades.¹⁸

In short, perhaps Jews were afraid of ghosts during the Rosenberg case. The polls taken at the time contradict the apprehensions vocalized in the Antonovsky study. Our examination of the response to the Rosenberg case by other religious groups and clergy here in America and by various religious groups abroad, including Jews, indicates that many other members of identifiable groups had less hesitancy to raise their

voices in opposition to the Rosenbergs' convictions and/or sentences than American Jews. A Jewish issue definitely existed regarding response to the Rosenberg case. But it raised problems for American Jews--not for American Christians nor for religionists of countless denominations overseas. American Jews were greatly concerned about a problem which, fortunately, did not exist.

The Jewish establishment organizations did deny claims of the left (of the Jewish left in particular) that anti-Semitism was an issue in the Rosenberg case. The left made two contradictory claims: 1) that Jews were purposely kept off of the jury and 2) that Judge Kaufman, because he was Jewish, imposed an unnecessarily harsh sentence. The left did not seem bothered by the fact that a Jewish juror could have been as harsh as the Judge himself. The claims today still seem weak. Neither the defense nor the prosecution made a conscious attempt to keep Jews off the jury nor accused each other of doing so. Several prospective jurors who were Jews excused themselves. And even though many New Yorkers are Jewish, the United States Southern District of New York (the district in which the Rosenberg trial took place) does not include all of New York City. Though the Southern District stretches north towards Albany, it includes only two of New York City's five boroughs--Manhattan and the Bronx.¹⁹

As for Judge Kaufman and his sentences, we can only turn to him. Yet he maintains silence. Since the Rosenberg case, he has been a tough but competent judge known for his decisions in the field of civil liberties. In the early 1960's, he was appointed Chief Judge of the Second Circuit of the United States Court of Appeals--perhaps the most influential posi-

tion in the judiciary after the nine seats on the Supreme Court. Without a doubt, the Rosenberg death sentences were in Judge Kaufman's purview and many people have argued that they were consonant with the other sentences imposed. However, the words with which he chose to deliver the sentences sound incredibly harsh and outrageous.

The jury found the Rosenbergs guilty. The jurors chose to believe the testimony of the Greenglasses and Gold rather than that of the Rosenbergs. This paper never proposed to investigate the guilt or innocence of the Rosenbergs and will not do so here. The granting of clemency, however, is another matter. I suggest that clemency should have been granted, if only to prevent the Rosenbergs from becoming larger than life. Their execution appears as a mistake in terms of its effect on the perception of the United States by foreign peoples. Regardless of one's own personal feelings about capital punishment and about the Rosenbergs, their execution can easily be seen as a mistake. It damaged our image abroad, turned Ethel and Julius Rosenberg into martyrs, and has enabled the case to remain alive well-nigh a quarter of a century.

Obviously, Presidents Truman and Eisenhower are ultimately to blame for not granting clemency. But several groups made it difficult for either President to make this decision. Eugene Hevesi wrote of those on the right:

It is quite obvious that if the poisonous atmosphere created by our ultra-patriotic fakers would not have prevented both Presidents from considering the foreseeable foreign political repercussions of the executions, and from exercising their right of executive supervision of the judgment, in a manner advantageous to U.S. interests, there would have been no Rosenberg case.²⁰

Several observers have also suggested that the left imposed additional

pressures on the Presidents. Leslie Fiedler, in the October 1953 Encounter, insisted that the Communists made any grant of clemency a difficult proposition. They so infuriated American public opinion that any grant of clemency would have been seen as buckling under Communist pressure. And by so publicizing anti-Semitic accusations, the left in general and the Jewish left in particular alienated whatever sympathies the Rosenbergs might have received from the Jewish establishment organizations.

But the Jewish center does not escape blame either. For in spite of the facts before the Jewish establishment organizations that few Americans identified Jews with Communists with spies, these organizations could only call anti-Semitism in the case a false issue. Not one organization, in spite of the acknowledged sympathies of many of their staff members, had the guts to make any sort of positive statement on behalf of the Rosenbergs. The Jewish establishment organizations did not and should not have entered into the trial or sentencing of the Rosenbergs. A denial of anti-Semitic implications would have been sufficient. But in not making a plea for clemency, the Jewish center made a grievous mistake.

CHAPTER X

A CASE POSTSCRIPT

The Case Lives on Today

As noted earlier, Rabbi Fineberg wrote in a December 1, 1953, staff memorandum:

I daresay that a few years hence Dexter White, Harold Glasser, Victor Perla, George Silvermaster, and other names of pro-Russian spies (alleged and real) will be yesterday's news. . . . The man in the street will have forgotten them. But if the Rosenberg myth is not destroyed, such occasions as the anniversary of their execution will bring renewed propaganda.

A contemporary observer of the case writes:

The Rosenberg case won't go away. It lingers, like the smell left in a room after a corpse has been removed.¹

The Rosenberg case has not died. Fineberg set out in 1953 to destroy what he called a myth that might allow the case to be used as propaganda. Yet Morton Sobell's imprisonment helped keep the case alive. Michael and Robert Meeropol also helped keep the case alive. For years, they lived in anonymity. But, as Michael said, "we spent all our lives knowing that sooner or later it would have to end."² The anonymity ended on June 19, 1973, twenty years after their parents' execution. On that day, they filed suit against author Louis Nizer. One year later, at a rally in New York's Carnegie Hall, they officially announced their intention to reopen the case.

A National Committee to Reopen the Rosenberg Case (NCRRC) has been formed. It has had some success in gaining sponsors and obtaining files from the FBI. It has also had a marked success in attracting sympathy.

The America of the 1970's is not the America of the 1950's. Many governmental agencies such as the FBI are today viewed with suspicion and skepticism. Enough evidence has been uncovered to give this skepticism some general support.

Yet again, the sides are forming. Of the revival of the case, Fineberg says, "You can get a big campaign and go to the people and there are liberal . . . ultra-liberals and bleeding hearts and pro-Commies and others who will sustain another campaign."³ The old claims of anti-Semitism reappear unquestioned. One author writes in the Jewish magazine Response, "The jury had been systematically stacked; Jews and liberals had been weeded out during the selection." He adds that Judge Kaufman was a man who showed "himself again and again to be pitilessly biased against" the Rosenbergs.⁴ One might well wonder if anything has changed over the twenty-five years since the executions.

Changes . . .

. . . On the Right

The American Jewish League Against Communism began to fade along with the Red scare in the mid-1950's. Eventually, the AJLAC closed down completely in January 1960, only to be reactivated by George Sokolsky in May 1961. However, the AJLAC closed down soon again and lay in dormancy for several years. The AJLAC's most recent reactivation came in the mid-1970's under Roy Cohn. Today it is housed in Cohn's law offices in New York and one of Cohn's staff members, Francis X. Dehn, Jr., handles its affairs.

The AJLAC's vocal executive director, Rabbi Benjamin Schultz, has not faded away as quietly. Schultz was praised by FBI Director Hoover and

opened the June 2, 1955, session of the United States Senate with prayer.⁵ But Schultz's fortunes never reached these peaks again. On a train ride back from what turned into a joint speaking engagement in New Bedford, Massachusetts, Reader's Digest senior editor Eugene Lyons brought up the matter of Benjamin Schultz with Sol Fineberg. Lyons said that the AJLAC was short on funds and wanted Schultz gone. Then, several days later, Fineberg received a call from Schultz who said that he wanted to get back "to preach the word of God." Schultz said he was looking for a pulpit and wanted a rabbi who would say something good about him.⁶

Fineberg was helpful. In 1960, Schultz left for a pulpit in Brunswick, Georgia. Two years later, he moved to a larger congregation in Clarksdale, Mississippi. His adjustment to life in the South caused a great deal of commotion. During James Meredith's efforts to get into the University of Mississippi, Schultz proclaimed, "What America needs is more Mississippis, not less." He also asserted, while Jews took part in the civil rights movement, that there was no happier or freer place than Mississippi.⁷ All this came at a time when other Mississippi rabbis were quietly working for change.

Schultz, now in his seventies, remains Clarksdale's rabbi. His congregation respects him and he enjoys the congregation. He has been elected a District Governor of Rotary and president of the area Ministerial Association. Yet he has not forgotten the past. Anti-Communism remains vital to him.

. . . On the Left

At the request of an Orthodox Jewish periodical of similar name, Jewish Life became Jewish Currents several years after the Rosenbergs were

executed. Jewish Currents remains in publication today. Incredibly enough, though the name has changed, the staff has remained essentially the same. Morris U. Schappes remains as managing editor and Louis Harap continues as contributing editor.

While the magazine's staff has grown a bit older, it has also grown a bit wiser. The magazine no longer remains close to the Soviet orbit. Jewish Currents often carries articles dealing with anti-Semitism in the Soviet Union and Eastern Europe. Schappes himself honestly admits his past mistakes and his growth since. Today, he quite definitely states that he never used the Rosenberg case to cover up anti-Semitism in the Slansky affair because he simply did not believe any anti-Semitism was involved in the Slansky trial. He simply accepted on good faith the declarations of the Czech government (and the Russian government about the Doctors' Plot). He says he was so conditioned to reject anything from a capitalist source and to implicitly trust anything from a socialistic or Communist source that he never questioned the Czech government's claims. Adds Schappes, "I had big blinkers."⁸

Khrushchev's 1956 report blaming the Doctors' Plot on Stalin more than confirmed Schappes' growing apprehensions. He tells of a debate he had with writer Murray Kempton in the early 1950's. Kempton argued that anti-Semitism was involved in the Slansky affair while Schappes argued that it was not. Schappes won the debate. However, when he next saw Kempton--in the press room of the 1957 Communist Party Convention--Schappes introduced himself with the words, "Mr. Kempton, you may not remember but we had a debate and I think I won the debate but you were right."⁹

Schappes, however, has not changed his mind about the Rosenberg case.

For years, he worked to free Morton Sobell from prison. Today, he is a sponsor of the NCRRC. The Rosenberg sons, Michael and Robert Meeropol, currently speak for many on the left. Michael Meeropol writes of his parents' case:

All they [average Jewish liberals] had to do to escape the stigma of the 'Jew-commie-spy Rosenbergs' was to do nothing. In case they couldn't get the point themselves, certain leading figures in the American Jewish community (S. Andhil Fineberg of the American Jewish Committee was a prime example) sought to head off the feared pogrom by stealing the anti-semite's thunder. Though anti-semitism was not the chief government motivation (anti-Communism was), the framers of my parents knew that it's always better if defendants in a political trial are members of minority groups. The government took advantage of existing anti-semitism, and the trial gave the anti-semites a field day! To protect the rest of the Jews from this new wave of anti-semitism Fineberg and others mounted a vicious campaign against my parents and the committee that was seeking clemency and a new trial. In effect they were saying, "Wait, there are good Jews (like Judge Kaufman). We want to kill the commie-Rosenbergs as much as any goy!" The rest of the people got the picture, and only a minority of the Jewish laity (and even a smaller percentage of the rabbinate) supported the campaign for clemency. . . . The majority of the American people and the majority of American Jews took the easy way out and did nothing.¹⁰

Michael Meeropol has an even more personal criticism of Fineberg. He notes that Emanuel Bloch had tried to place him and his brother with a family holding views similar to those held by Ethel and Julius. (Eventually the children were placed with and adopted by Anne and Abel Meeropol). Of this attempt, Michael Meeropol writes:

. . . several influential persons sought to "kill" us by removing us from people who shared our parents' politics. This goal was blatantly spelled out in a letter or position paper written by one of the chief anti-Rosenberg propagandists, S. Andhil Fineberg.¹¹

Fineberg and other political string-pullers, I am convinced, were trying to murder Ethel and Julius again by

transforming their children's love for them into hate. They intended to place us with "patriotic Americans" so we'd grow up despising our parents and honoring their murderers.¹²

Finally, we turn to that unique figure in the Rosenberg case, Rabbi Abraham Cronbach. He followed his strange yet brave course until his death in 1965. He gave the eulogy for the Rosenbergs at their funeral and then withdrew from the Rosenberg case. While he did help raise funds for the children, he refused a plea from Joseph Brainin to become a sponsor of a reconstituted NCSJRC for Morton Sobell. He wrote Brainin:

In the Rosenberg case it was not necessary for me to have an opinion touching the defendant's guilt or innocence. From the very beginning I held that the penalty of death was excessive even if the Rosenbergs had committed that crime. Today, I am inclined to believe that the Rosenbergs were innocent. . . .

Cronbach noted that mass meetings had failed for the Rosenbergs and he felt that they would not help Sobell. Then, he concluded, "A more effective way of dealing with the opposition might be that of understanding the opposition."¹³

Abraham Cronbach was to add his wife's anxieties about the repercussions of the case to his reasons for not joining a reconstituted NCSJRC.¹⁴ But his suggestion of understanding the opposition remains excellent advice.

. . . In the Center

As already noted, some people on the left claim that the Jewish center tried to stop the adoption of the Rosenberg sons by a leftist family. I have not come across any papers to support the claim. However, the AJC did maintain an interest in the Rosenberg case as demonstrated by correspondence concerning Morton Sobell.

In Chapter V, 1954 AJC correspondence relating to NCSJRC efforts to have Sobell transferred from Alcatraz is discussed. Someone at the AJC wanted to work against the NCSJRC efforts and was advised against such by Maxwell Rabb, secretary to Eisenhower's cabinet. (see appendix B-12).

As the years passed, support for Sobell's transfer or release from prison grew. In January 1957, Rabbis Uri Miller, Weinstein, Rackman, Lipman, and Halpern joined Helen Sobell in an appeal for her husband. Rabbi Leon Kronish wrote the AJC in 1961 inquiring of the AJC's position on Morton Sobell. In forming a response, Edwin Lucas wrote, "we have no position nor any opinion concerning the guilt or innocence of Morton Sobell." Lucas noted that a jury had found him guilty. Then he added a mysterious sentence. Pointing out that the full record of the case should be read for an opinion, Lucas wrote, "No one here, as far as I know, has done that."¹⁵ One wonders where Sol Fineberg was at the time.

Fineberg had responded to other inquiries received by the AJC. He wrote Robert J. Greene on February 26, 1960, pointing out that the average citizen would never have had the chances that Sobell had received. He then stated:

The agitation [for Sobell] has obviously been conducted in a way as to provide income for Mrs. Sobell and others. . . . That the clamor never would have gotten underway without the aid of Communists and fellow-travelers is a certainty.

Fineberg concluded by saying that although the AJC had ignored Sobell in recent years he (Fineberg) would not support a petition for him.¹⁶

Fineberg responded even more heatedly to a 1961 CCAR proposal calling for a review of the Sobell case.¹⁷ Fineberg, a member of the CCAR, did not

feel that the CCAR should speak for all its members in this matter. Fineberg explicitly spelled out his feelings in a June 1961 letter to the executive director of the Board of Rabbis of an eastern community. Because the AJC had been receiving inquiries about a move to get President Kennedy to grant Sobell a pardon, Isaiah Terman, by 1961 AJC's Director of Communications and Servicing, decided to send copies of Fineberg's letter to all AJC Area Directors and Executive Assistants. Terman and Fineberg hoped the letter would answer two questions: "Has the American Jewish Committee taken a position on this case? Can you give me [a rabbi] any information that will help us to arrive at a decision.?"¹⁸ The letter may be found in Appendix B-16.

In his letter dated June 26, 1961, Fineberg summarized the position of the AJC on the NCSJRC, once again calling the NCSJRC a Communist-front organization which injected the false issue of anti-Semitism. Then, Fineberg drew a line to the Sobell committee. He wrote:

The Sobell Committee is run by some of the people who ran the Rosenberg Committee. Their motives include helping Sobell's family financially, maintaining their group interest and having a cause which enables these leftists to approach anyone they wish.

Fineberg then brought in clergy:

Rabbis, ministers, and other sensitive people find it difficult though not impossible to refuse to ask clemency for anyone who seeks it. And yet, only a few dozen rabbis have signed up in answer to the several requests sent to a thousand rabbis by the Sobell Committee during its five years of operation. It is even harder for organizations of clergymen to resist dubious appeals for moral support than for individuals.

Having mentioned clergy, Fineberg turned to a particular group of clergy, the CCAR. Calling the CCAR resolution "a weasel worded resolution," Fineberg wondered if the CCAR was entering into the business of ask-

ing for retrials and pardons. If so, noted Fineberg, the CCAR must also do so for other prisoners without the resources and support of Morton Sobell. Fineberg asked, "Are the rabbis sure that Sobell is the most deserving?"

Fineberg concluded first by noting that the silence of the AJC and other organizations should indicate where they stand. Then, on a personal note he wrote that he wondered if "it is proper when individual rabbis have been urged to take a certain stand and only a few are willing, for the rabbinical body to which they belong to take action without prior notice and make it appear that they all favor something to which some of them are violently opposed."

A Sobell appeal arose next at the Union of American Hebrew Congregations biennial meeting of 1962. The Biennial referred the pro-Sobell resolution to a joint UAHC-CCAR Commission on Social Action Committee composed of Irving Fain, Joseph Rauh, Marvin Braiterman, Rabbi Eugene Lipman, and Rabbi Morris Lieberman. Fineberg wrote to Fain, who was chairman of the committee. Fineberg stated, "Unless a Jewish organization is prepared to consider all the appeals for clemency now pending, I object to asking for clemency for a man who refused to take the stand at his own trial."

Fineberg did admit that individual rabbinic appeals could be justified and that the Sobell Committee had not made any claims of anti-Semitism. "But," added Fineberg, "I have read a rabbis' appeal to Jews not to fear to speak out as Jews on behalf of Sobell as though only cowardice can restrain a Jew from siding with the Sobell Committee."¹⁹ Rabbi Lieberman indicated his agreement with this to Fineberg.²⁰

Additionally, during the early 1960's at the AJC, a special projects committee handled all matters regarding Communism and the Rosenbergs. Included on that committee were Fineberg, Dawidowicz, Himmelfarb, and Rabbi Marc Tanenbaum.²¹

Commentary carried two articles regarding the Rosenberg case years after the executions. Alexander Bickel reviewed the Schneir book on the case in 1966 for Commentary. Bickel agreed with the Schneirs that the case was a disgrace to the American administration of justice. But they disagreed as to the reasons. Unlike the Schneirs, Bickel could not see a frame-up or perjury or lies. Bickel found the case shameful because of the death sentence. He wrote, "There is first of all the death sentence, and secondly the death sentence, and thirdly the death sentence, and then again the death sentence."²² Criticizing Kaufman's remarks and the lack of a reexamination of the unprecedented sentence by a higher court, Bickel concluded, "The sentence was carried out in effect, in retribution for their [the Rosenbergs'] silence. This action is disgusting."²³

Allen Weinstein used a dramatization of the Schneir book²⁴ to strongly denounce the revisionist reworking of the Rosenberg case. In an article in a 1970 issue of Commentary entitled "Agit-Prop and the Rosenbergs," Weinstein harkens back to earlier Commentary articles on the case. While Weinstein agreed that the executions were terrible, he felt it important to point out that the NCSJRC was a creation of the American Communist Party.

Even today, the AJC continues to avoid the Meeropol-NCRRC campaign. When Michael Meeropol planned a visit to Cincinnati in 1977 as part of the effort to reopen the case, the local AJC office inquired for Hebrew

Union College as to whether the College should participate in the visit. The national AJC office recommended no contact, no support, and no participation.²⁵

Other organizations have added to the case postscript. The ACLU has asked Congress to look into "Judge Kaufman's conduct as part of its call for an inquiry into improper contacts between judges and prosecutors."²⁶ Arnold Forster, Associate National Director and General Counsel of the ADL, wrote to Edward Ennis of the Board of Directors of the ACLU to object to any investigation into the conduct of Judge Kaufman. The letter, dated October 1, 1976, and an attached memorandum to urge the ACLU not to recommend a Senate Judiciary Committee investigation into Judge Kaufman's conduct during the Rosenberg case can be found in Appendix B-17.

In his letter, Forster wrote:

If the ACLU, at this late date, is to disinter the Rosenberg case and lay before the American people the very elements that caused us so much heartache at the time, the action could only be justified if at the end of the road more would be known by the American people than is now already known about the case. . . .

What is clear is that, having failed to show that the finding of guilt on the part of the two defendants was improper, an attack is now to be made upon the integrity and character of a sitting judge for his conduct in a trial that took place a generation ago. Were this investigation to be approved, I can see a McCarthyism style miscarriage of justice. The ACLU should be the last group in our nation to allow itself to become the medium for permitting this to happen.

The ADL would prefer to let the case rest.

Some Final Words

Some changes take place rapidly, others quite slowly. There have been changes over the twenty-five years since Ethel and Julius Rosenberg were executed. The left has grown older but wiser, the right has faded,

and the center has become more secure. The decade following World War II saw a great change in American Jewish life. The Jewish response to the Rosenberg case gives us a marker of that time. Twenty-five years is a short period of time. Yet the perspective offered by the Rosenberg case makes it appear longer.

APPENDIX A

TWO ISSUES WHICH FURTHER INCREASED JEWISH DISCOMFITURE

Execution on Shabbat

During the months following the Rosenberg sentencing, various legal appeals and maneuvers succeeded in delaying execution. However, with a June 15, 1953, Supreme Court vote of five to four denying a Rosenberg petition for a stay of execution, the end appeared imminent. The Supreme Court adjourned for the summer. The executions had been set for Thursday, June 18, at 11:00 p.m. Preparations thus continued at Sing Sing Prison for the scheduled executions.

However, on Wednesday, June 17, Justice William O. Douglas granted a stay of execution on a completely new legal point brought up by two lawyers. The drama magnified. Attorney General Herbert Brownell filed an application with Chief Justice Fred Vinson for a rare special court term to review and vacate Douglas' stay. Vinson complied and the Supreme Court reassembled on Thursday, June 18. The Court, unable to reach a decision on Thursday, adjourned until Friday, June 19. The Court's decision was announced at noon on Friday. By a vote of six to three, the stay granted by Douglas was vacated.

A defense attorney then asked Judge Kaufman to stay the now-scheduled Friday 11:00 p.m. executions because they would occur on Shabbat, the Jewish Sabbath. Kaufman denied the stay, indicating that he had already talked to Brownell and had made sure that the executions would not take place on Shabbat. Only later in the day did it become clear that Brownell had rescheduled the executions before Shabbat, which began at sundown, due

around 8:30 p.m. This realization led to increased protests around the world as Shabbat approached and led many Jews to fear further association in the public mind of Jew with Communist and spy.

One document does indicate that the government did consider the problems raised by the Rosenbergs' executions on Shabbat. A June 19, 1953, FBI memorandum from C. E. Hennrich, a Washington, D.C., FBI agent, to Assistant to the FBI Director D. M. Ladd indicated that Sing Sing Warden Denno was of the opinion that Shabbat would raise a question. But Denno also pointed out that the defense had caused the delay, not the government. Denno did not know of any precedents to follow, but he did know that the week was almost over. Denno also knew that a rabbi would be available and that the rabbi had made no mention to him of any problem raised by Shabbat. So Denno recommended that the execution time not be changed.¹

The rabbi Denno consulted may well have been Rabbi Irving Koslowe, Jewish chaplain at Sing Sing. Rabbi Koslowe did not feel that execution on Shabbat would be contrary to Jewish law. Jewish law calls for the continuation of life as long as possible. Any shortening of life would go against Jewish law. Thus, Rabbi Koslowe felt that to reschedule the executions before Shabbat would be contrary to Jewish law for it would entail the shortening of life.

Rabbi Koslowe feels that Judge Kaufman contacted several Jewish groups, including the B'nai B'rith. The groups advised Kaufman that it would not look good to execute the Rosenbergs on Shabbat. Additionally, the Attorney General felt pressured to get the whole affair over with.² The executions were then rescheduled--to take place around 8:00 p.m., before Shabbat began. Rabbi Koslowe accompanied both Ethel Rosenberg and Julius Rosenberg

to the electric chair, reciting the Twenty-third Psalm.

The Funeral

The Rosenberg funeral may also have increased chances for identification of Jews with Communists and spies in some people's eyes. The funeral itself was an interesting combination of traditional Jewish and ecumenical practices. After the executions, the bodies of Ethel and Julius Rosenberg were brought to the I. J. Morris Funeral Home at 9701 Church Avenue in Brooklyn. Some 10,000 people passed by the open wooden caskets of Ethel and Julius Rosenberg on Saturday, June 20, and on Sunday, June 21. Julius Rosenberg was dressed in a talit (prayer shawl) and a yarmulke (skullcap). While the talit, yarmulke, and wooden caskets adhere to traditional Jewish practice, the open caskets and the lying in state on Shabbat, the Jewish Sabbath, (Friday at sundown to Saturday at sundown), do not.

The funeral service took place at the funeral home on Sunday. The chapel could hold just over 300 people so entrance was gained only by holders of a special card issued by the NCSJRC. Estimates of the crowd surrounding the funeral home during the funeral ranged from 10,000 to 30,000. Julius' family attended; Ethel's did not. Joseph Brainin began the service with a talk. He was followed by Emanuel Bloch. Bloch remained emotionally upset about the executions. His anger had not subsided. He declared:

I place the murder of the Rosenbergs at the door of President Eisenhower, Mr. Brownell, and J. Edgar Hoover. They did not pull the switch, true, but they directed the one who did pull the switch. This was not the American tradition, not American justice, and not American fair play. This was Nazism that killed the Rosenbergs. . . .³

Rabbi Cronbach spoke next. In his eulogy, Cronbach attempted to ease away from Bloch's criticisms. No verbatim recording of Cronbach's eulogy was taken. Attached to this appendix is Cronbach's own typed recollection of what he said. A New York Times reporter recorded several of his words differently. According to the New York Times, Cronbach said:

Our hardest task is to eschew hatred, to forsake rancor, and to keep our hearts clean of vindictiveness and retaliation. The Hebrew scriptures say: "Thou shall not take revenge" and "Thou shall not hate thy brother in thy heart." Let us not vituperate those who pronounced the verdict. Let us at least give them credit for this much: that they did what they thought was right.⁴

Maurice Erstling, the former president of the New York City Cantors Association, joined the speakers to chant some Psalms and "El Malei Rachamim."

Following the service at the funeral home, 300 automobiles and 3 chartered buses followed the 2 hearses to Wellwood Cemetery at Pine Lawn, near Farmingdale on Long Island. Rabbi Cronbach shared the graveside ceremony with the Reverend Glendin Partridge, the Presbyterian minister from Montreal who had led the fight to save the Rosenbergs in Canada.⁵

The Jewish Telegraphic Agency carried a report on the funeral in its Daily Bulletin. However, only the National Jewish Post, of all the Anglo-Jewish papers, saw fit to carry the story.

Remarks by Abraham Cronbach

At the Funderal of Julius and Ethel Rosenberg
June 21, 1953 at the I. J. Morris Funeral Home,
9701 Church Avenue, at Rockaway Parkway, Brooklyn, N.Y.

This text gives the talk almost but not entirely word for word. Slight verbal changes have been made in the interests of literary propriety. The ideas are identical with the ideas of the address as delivered.

A-1-2

The eyes of all the world are on this sorrowful gathering. Millions of people are convinced that Julius and Ethel Rosenberg were innocent. Other millions have held that, even if they were guilty, their punishment was excessive. Still other millions believe that the punishment was just.

To those who maintain that the punishment was just, I should like to say a few words. It is an ancient Jewish maxim that if, after a law has been violated, the violator has been punished, the violation is to be regarded as canceled. The defendant ceases to be a defendant. Matters become as if the violation had never occurred. That Jewish maxim is so noble and so worthy that it ought to be adopted by people everywhere. According to that maxim, Julius and Ethel Rosenberg are now innocent--innocent even if judged from the harshest point of view. So much for those who think that the punishment was just.

For the rest of us, this is a day of bitter reverse. We toiled and sacrificed and dared in order to prevent this calamity, but our efforts were in vain. We were defeated. And yet there is a sense in which we were not defeated. We were defeated juridically but we were not defeated spiritually. We succeeded in being true to our finest selves. We succeeded as regards fidelity to our ideals of mercy, justice, and courage. The able attorney, to whom you have just listened, did not win his case. But he triumphed as regards devotion, industry, and resourcefulness.

Tasks still remain. One of them is that of discovering and publishing the truth. The entire truth about this dreadful happening has not yet been revealed. There are questions which have not been answered. Perhaps when the truth has been discovered, all the world will deem Julius and Ethel Rosenberg to have been guiltless. The truth should be sought and made known.

Another task is that of binding up the wounds--comforting the bereaved, succoring the needy. The dead are beyond our reach. But the living must be solaced and aided.

There is yet another task, and this is the most difficult of all. We should avoid hatred, rancor, and retaliation. Well worth heeding are those ancient Jewish words: "Thou shalt take no revenge. Thou shalt bear no grudge... Thou shalt not hate thy brother in thy heart." Though the judges and the executive rendered a verdict which broke our hearts, we must remember that they did the right* as they understood the right. Our own conception of the right was, of course, far different from theirs. Still, we should not hate. We should not be vindictive. Hatred killed Julius and Ethel Rosenberg. Vindictiveness destroyed this young man and woman. We who achieved a spiritual triumph when we struggled to avert this tragedy--let us not now succumb to spiritual defeat.

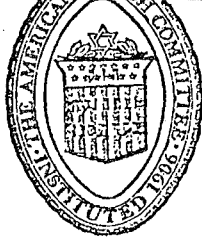
Finally we who befriended the Rosenbergs should show the entire world that we are loyal among the loyal in our allegiance to America. Let us give our detractors not a scintilla of an excuse for impugning the caliber of our citizenship. Let us make it unmistakably clear that we can not possibly gain by anything through which America is injured. We gain if America gains. We lose if America loses. Our citizenship should stand beyond reproach,

These things we must do if we would bring about a brighter day for our America and a happier time for all humanity.

* At this point there occurred, among the listeners, a slight commotion which--it seemed to me--was quickly and firmly repressed by someone in the audience.

APPENDIX B

THE



AMERICAN JEWISH COMMITTEE

386 FOURTH AVENUE, NEW YORK 16, N. Y. Cable Address, "WISHCOM, NEW YORK"

Telephone MURRAY HILL 5-0181

New York, N.Y., 1952

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70 copies

New York, N.Y., 1952

Please let me know at your earliest convenience what the situation is in your community regarding the campaign by the COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE. Herewith is a memorandum describing this campaign. Kindly let me know by return mail, if possible:

- 1) To what extent is there activity in your community on behalf of the Rosenbergs (found guilty of atomic spying)?
- 2) If there is such activity, have there been a meeting (or meetings) or is it merely individual effort?
- 3) Has any report of a local meeting or other phase of this matter brought it to the attention of your local public through press notices?
- 4) Has any local Jewish periodical carried an advertisement or other information on the subject?
- 5) Do you believe that this memorandum (which is an e-mail only to some of the CACs) be sent to all CACs?
- 6) Is this memorandum a sufficient coverage of the subject? Or should we add: (a) a summary of what occurred at the Rosenberg trial; and/or (b) rejoinders to the Communist arguments indicating why they are specious and misleading?

We are, of course, interested in this campaign on behalf of the Rosenbergs because of the Communists' attempts to propagate the idea that anti-Communism is equivalent to anti-Semitism.

Your reply to this letter will be of considerable help and will be much appreciated.

Sincerely yours,

S. ANDRE FUCHSBERG

S. ANDRE FUCHSBERG

Committee to Secure Justice in the Rosenberg Case

APPENDIX B-2

April 21, 1952

REPORT ON MEETING OF THE L.A. COMMITTEE TO SECURE JUSTICE IN THE
ROSENBERG CASE HELD AT THE PARK VIEW MANOR, 2200 W. 7th ST., LOS
ANGELES, ON APRIL 14, 1952

Names of Committee Sponsors (partial list):-

Dr. Murray Abowitz	Dr. Sanford Goldner
Jack Berman	Martin Hall
Helen Blair	Hugh Hardyman
Reuben Borough	Kay Keleher
Madeleine Borough	Robert W. Kenny
Rabbi Franklin Cohn	Sarajo Lord
Nat Corner	Sylvia Major
Rev. Carl T. Crane	Paul Major
Jack Flier	Rev. Howard G. Matson
Rev. George W. Cofield	Rev. Stephen H. Fritchman
Daniel Marshall	Charles Schwartz
John McTernan	Herbert Simmons
Windham Mortimer	Olive Thompson
Pauline Schindler	Jack Tenner
Rev. H. Schmidt	John Williams
	Bert Witt

Address of Committee:-

c/o Sophie Davidson
515 W. 41st Place
Los Angeles 37, Calif.

Speakers at Rally:-

Mrs. S. Davidson - opening
Mr. W. Mortimer - 1st pitch
Rev. Carl L. Crane
Mr. Reuben
Mr. (?) Shibolay (?), atty., Long Beach
Miss Olivia Thompson, U.E.W. Union
Rabbi Franklin Cohn

Start of meeting: 8:30 p.m.
Close of meeting: 11:30 p.m.

Attendance: approx. 600 people

Average age group: 18-30 years - approx. 50
30-50 " - " 250
50-80 " - " 300

Overall Impressions of Meeting

The meeting was scheduled to start at 8:00 P.M. but was delayed by the fact that the hall was only partly filled and the belated arrival of some of the speakers.

Outside Park View Manor a group of 3 asked all visitors to sign Petition for World Peace. I was unable to notice name of sponsoring organization as it was covered by a sheet of paper. I declined to sign as the signatures were asked for on the sidewalk outside in the open. The contents of the petition were on similar lines as the Stockholm Peace petition. The majority of those entering Park View Manor did not sign the petitions.

Inside the hall everyone was asked to sign an "Amicus Brief in the Rosenberg Case". Practically everyone did. I signed under the name of "Joseph Greenberg". The signature sheets were obtained over well scattered areas, about 6 persons handling the job. It seemed to me that about 4 men were guarding the table to prevent anyone from having access to the lists of names, and I found it impossible to carry out my intention to secure them.

Samples of this Amicus Brief and other propaganda material are attached to this report.

The general atmosphere was that of a minor conspiracy. Mingled expressions of fear, defiance and importance just about characterized all present. Few people spoke to each other, there was a complete absence of social behavior such as common at general rallies. Greetings and conversations as there were proceeded in a definite hush-hush fashion. Throughout the evening the audience behaved well disciplined and instructed. There was almost no disturbance of any kind, no one walking around, no noise whatsoever and the large majority attended the meeting to the finish.

The reaction to the speeches was positive (reminiscent to me of rallies of the German Nazi party in 1932-33). Every cue for applause was promptly taken. But there were no remarks other than subdued chuckles indicating agreements to sarcastic remarks or boos at the mention of state-witnesses in Communist trials. The general pattern appeared to be one of reluctance to speak even one word to one's neighbor and an awareness of a certain "danger" connected with one's presence at the rally.

All speakers refrained from any sort of oratory usually expected from a meeting of this kind. They tried to create a feeling of "lurking terror" hanging over the assembly (see Reuben's speech) instilling a very heavy mood rather than enthusiasm.

The use of a tape-recording by Mrs. Sobell seemed to be very effective and influential over the public. It created a tendency - later on developed thoroughly by the speaker - to look at the Rosenbergs mostly from a sentimental standpoint, "pulling at the heartstrings" of the many women present (who outnumbered the men by far).

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About 3/4 way through the meeting the audience was called upon to give money. Including a large sum (\$1000) announced by a Long Beach organization whose name I was unable to catch, the result of the fund-raising was an approximate \$1600, which also includes a \$100 donation by the "Esther Levitt Women's Club" (the only organization identified by name). However, to this must be added a number of contributions by people who gave and whose names and amounts were not announced. I would say that the probable intake of the Committee was \$2000.

A heralded public discussion did not come off. A question and answer opportunity was promised on several occasions, but due to the lengthy and (purposely) long-drawn talks the public showed no inclination, nor did the speakers, to ask or answer any questions. The meeting broke up in orderly manner and dispersed quickly, with practically no individual discussion groups hanging around. Everyone left as fast as he could.

I attempted several approaches to feel out some of the people with certain results (described separately). A young woman with whom I had "eye-flirted" managed to walk out through the door when I did, thus giving me an opportunity to get acquainted. I took advantage of the opportunity and wound up at Langer's Delicatessen on Alvarado St. where I talked with her for half an hour, after which I took her home. It was a most interesting experience in connection with the purpose of my visit at the meeting. She turned out to be a very active member of - obviously - the Communist Party. A description of my discussions is attached on a separate sheet.

All in all I tend to think that the Committee would consider the rally a success. The hall was packed to capacity with some overflow in the hallway. Financially it appeared to be better than they had expected because I noticed them to be all smiles and in excellent humor at the close of the affair.

The theme of anti-Semitism and anti-minorityism, the threat of impending mass-extinction and gas-chambers, comparison to Nazi methods and policies stood out as the major-intention of this rally. "If the Rosenbergs must die - then all Jews will have to die" was the thought with which people were sent home.

I am under the impression that this Rosenberg Committee is absolutely a Communist-organized and directed affair. It is liable to drag huge numbers of unsuspecting non-communists into their sphere on the issue of Government anti-Semitism and planned extermination of American Jewry. Apparently the policy of the Communist party is to terrorize the mind of the individual with nightmares of impending doom and then to represent Soviet Russia as the only possible escape. There is practically no mention of class-fight or the issue of socialism and capitalism, while all efforts are turned to creating racial and religious insecurity.

"Proof" of the Rosenbergs' innocence is presented strictly on a basis of suggestion and via inference of Nazi-Germany methods with not a single document or positive statement to back up any of the lies.

General Minutes and Outlines on Speeches

MR. REUBEN - (Was unable to get full name. Apparently is a reporter, having been connected with a number of eastern papers, being introduced as person responsible for "sensation exposes" in connection with Communist trials, including the Rosenberg case.) * Do not know who he was!

His job was to disprove the accusations against the Rosenbergs. Enlarges on claim that they were convicted merely on the basis of the only evidence, namely the collection can for Spanish Civil War Republican orphans, which was found in his home. After stressing that this was the ONLY evidence, he comes up with the other ONLY evidences, i.e. the table with the secret compartment and the Greenglass statements, and his trip to Mexico. He pictures the Rosenbergs as "normal" parents, living in a \$45.00 apartment with only secondhand furniture, to illustrate the impossibility of J. Rosenberg being mastermind of espionage allegedly having handled hundred of thousands of dollars to organize the spy-net (which can sound logical to the gullible who do not conceive how deceptive appearances can be, especially that of a spy!)

He ridicules the state witnesses, describing Greenglass as an incompetent high-school graduate who failed 8 times to pass a certain post-graduate course, as a measely corporal who could not possibly have had the opportunity nor the intelligence to distinguish an atomic plan from a Mother Goose story. Claims that the sketch of atomic secrets was prepared by the government, as was the table, and then indulges in a long drive to impress that the whole case is a frame-up. He bases it mostly on the statement that atomic scientists as early as 1945 came out with a declaration that Russia - under her own efforts - will be able to know the secret of the A-bomb by 1950, thus implying that there could not possibly exist any suspicion of a betrayal.

At this occasion he pulled Alger Hiss and Judith Coplon into the talk, ridiculing the fact that one suspects a "trusted top government official" and a government employee of treason. The typewriter, which was demonstrated as the only evidence against Hiss, was fabricated by the government, he said. Judith Coplon was convicted on the grounds of falling in love with a foreigner, nothing else.

Then begins a tirade against the government's efforts to stamp out Communism. Naturally - he exclaims - that was the only purpose of the trial. That's just what the Nazis did when they started out against the Jews. They took the innocent Rosenbergs and used them as a cause to terrorize all progressive men and women in this country. At this point the U.S. began to look like a super-fascist state, with the McCarthys, the McCarrens, the Rankins and the Trumans engaged in a horrible plot to make lamp-shades out of

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Jewish skins. He tells of the innumerable concentration camps now being built all over the country, inferring that they already might contain gas-chambers that look like showers but aren't.

A number of times he injected the fact that it is clear this country is fascist as "we" must be afraid to assemble to voice the protests, that "we" are afraid in general now, being to all intents and purposes deprived of our civil rights. It is "our" duty to stand up for the Bill of Rights. Then he illustrates Nazi procedure, describes how the Germans did not know (!) about the horror-camps in Dachau and other notorious places since the gas-chambers were actually showers in which the unsuspecting victims were merely trying to wash themselves when suddenly the gas was let in from invisible openings in the wall. (The falseness of this statement can easily be proved by every former inmate of those camps.) However, the idea was to indicate that a government - and in this case the government of the U.S. - can plan and carry out atrocities without anyone in the country knowing it.

He then quotes a "precedent", digging out the case of Sacco and Vancetti, thus elevating the Rosenbergs instantly to the heights of Communist martyrdom. Next he jumps to the German Reichstagfire, presenting Vander Lubbe as the example for the Rosenberg case. As he put it, all the indications are that this country travels down the same road as Germany did, and that complete annihilation of all Jews and minorities is a certainty, unless the Rosenbergs are set free. He gives no substantiation for such statement other than the fact that Rosenbergs were sentenced to death for "committing no crime". He ends his speech on the note of utter hopelessness and inevitable destruction of Jewry, slyly hinting that Communism is the only salvation.

MR. WINDEAM MORTIMER - Speaks very carefully in general, obviously restrained and uneasy. Attitude is that of a Communist talking to other Communists who know what it is all about. No highlights of any consequence.

REV. CARL L. CRANE - Begins with explanation how he a churchman happens or dares to stand on that rostrum. Deplores the presence of "informers" who "I am sure will report to various places every word I or anybody else will say here tonight." Then he tells of the discrepancies in the trials of Communists which make him "doubt" the justice of the courts. Being doubtful about that he considers it his holy duty to see that America lives up to that part of the Bill of Rights that declares that no man is guilty unless he is proven guilty. He cleverly avoids accusing the government but continuously talks about the "doubts" in his mind.

MR. SHIBOLAY (?) - Is introduced as one bringing a message from Mrs. Sobell. After a few generalities he plays recording on tape by her, apparently addressing a gathering somewhere. The audience was not told where the speech was recorded.

Most of her talk circled around her relationship with her next-door neighbors whose testimony in court put her husband in jail for 30

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years. How they acted friendly and sugar-like, even on the day they gave their evidence. How they now live on Sobells' furniture which they bought before the conviction, pretending to be friendly, helpful neighbors. Plays up the fact that her children now have not a chair to sit on. She describes her impressions of the courtroom, which looked "beautiful", and "the judge looked like a judge" and similar remarks. She then manifestates that her husband had never had anything to do with spies and betrayals. But then she goes on to say "I am proud of my husband because he never betrayed his friends (which was accompanied by stormy applause), but I am not too proud to accept your help."

Here Shibolay resumes. While he repeats many of the things Reuben said, he comes up with a few new ideas. Describes at length how he, the busy man, happened to consent to see a stage show, which happened to be Feuchtwanger's "The Devil in Boston". Now he recites the tale of the witch trials of the 17th century, and the word "witch-trial" dominates the rest of his speech. He makes the most of the judge's question of how does one recognize a witch. He comes to the conclusion that the opinion that a denial of being a witch or a servant of the devil was regarded as the witch detector. If one denies that one was automatically a witch, whereas those who admit being witches and tell of how witches work and who the other witches are, are purged of all guilt and set free.

It was obvious that he was referring to the Greenglasses, who betrayed their own relatives and who got away with light sentence and acquittal respectively. His attempt was to depict the whole situation as a modern witch-hunt, wherein the U.S. tries to create reasons why it should exterminate the Jews. Talking about Luther Adler's portrayal of Hitler in the "Magic Face", he tries to convince the audience that this picture was "anti-Nazi and is therefore kept from the public now." On the other hand, he claims that the picture "The Desert Fox" is given all the preference to bring this pro-Nazi picture before the public. The point of that apparently was to prove the pro-fascist tendency in the U.S. After some more talk about witches, he ends his talk to begin a fund collection.

MISS OLIVIA THOMPSON - She reads a message from the Rosenbergs, calling upon one and all to come to their aid and free them or perish. The idea being that the future of America, and Jewry in particular depends entirely on whether or not they will be executed. If they will be - then all is lost and America must die with them.

RABBI FRANKLIN COHN - Bemoans the absence of the other rabbis of L.A., calls them cowards and ignoramuses. "I am deeply ashamed" for them. Then he lets loose with a blast at Judge Kaufman, who being himself a Jew, has dared to do his duty. He relates the story of the converted Jew who when he went to pray in the Catholic church crossed himself three times whereas even the priest crossed himself but once. Being asked why he overdid it he answered, "The others can afford to cross themselves only once, because everybody knows they are Catholics."

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He hammers around a while on that fact, producing at large a picture of a Jewry that wants to out-McCarthy McCarthy. Next he indulges in a very stupid description of Berlin early in Hitler's time, of mobile exhibition trucks who changed their signs every few weeks, denouncing as public enemy No. 1 the Communists, the Plutocrats and then the Jews on different occasions, in that order. The obvious inference is that since the U.S. is now engaged in its fight against Communism the next step would be the fight against the Jews. He calls on Jewry to fight against new ghettos and concentration camps and then shuts up.

After-Thoughts

I started conversations with several people. An elderly woman said that she is happy the Communists stand up for the Jews. A middle-aged man, after looking out in all directions first, pulled me towards the wall and said "we should learn from the 'kemfers' of the Warsaw Ghetto" and form our underground groups now instead of waiting until it is too late. When I agreed with him he asked me if I would come to the Embassy auditorium next Saturday. "I'll introduce you to a couple of guys; they can explain better than I. My name is Ornstein, what's yours?" Two women suddenly looked scared when I walked over to their side (trying to catch some of their conversation). They pulled away from me. My remark that it was wonderful to have such a turnout of people and that it is encouraging to see how many courageous people there are left changed their fears to joy and at once they confided that they suspect everybody of being a "Gestapo". "It's worse than Hitler." I approached a man who gave out petitions for bail for the "Terminal Island Four". When I asked him to give me one he fired this question at me: "Would you give your last shirt?" Puzzled I looked away and then quickly answered "not now". Apparently that satisfied him, because he nodded and gave me the petition, then walked away.

A Pick-up

I had observed a very good-looking young woman, whose eyes had hung with near ecstasy on every speaker's lips. I looked at her frequently and decided to try to talk to her, sensing that she was somewhat different from the rest of the crowd. She noticed my glances and before I knew it she flirted back. When the gathering broke up I walked slowly towards the door, noticing that she too was leaving. Walking faster than I did, she reached the door at the same time I did and we both necessarily scrambled through it together. A few casual remarks about the large crowd, the good speakers and the crisp air resulted in the start of a long discussion.

I suggested a cup of coffee and we entered Langer's Delicatessen. It turned out she could go for a corned beef sandwich. So, over a sandwich, Westlake Park, Los Angeles, people and finally the U.S. became the topic of our conversation. Naturally we were both very dissatisfied with everything, with the American way of life, the shallow, empty, meaningless American habits, and step by step we walked into politics.

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She led the talk. I gave her just enough opposition on minor points to make her argue hotly. She explained there are many ways by which a person can help the progressive cause, such as joining non-progressive organizations and then convince the misguided sheep of their erroneous ways. She is in 4 of them, very active, and she has already won over about 10 people who are now active on "our side".

I have an invite to come to her home and she will then take me to another home where her friends meet. Being new in the city as I said I was, she was sure I'd be able to become active much faster. Taking her home I managed to get the information that she is something of a secretary in "our group", that she has the mailing list, etc.

The significance of this is not in the romantic aspect of the matter (of which there is none for me) but in the revelation that the Communists have an organized infiltration set-up into neutral and weak organizations, of which only few are aware.

NEWS*from the* **NATIONAL COMMUNITY RELATIONS
ADVISORY COUNCIL**

9 East 38th Street, New York 16, N.Y.

MURRAY HILL 5-1606

MEMBER AGENCIES: American Jewish Committee, American Jewish Congress, B'nai B'rith (Anti-Defamation League), Jewish Labor Committee, Jewish War Veterans of the United States, Union of American Hebrew Congregations; Regional, State, and County-wide Jewish Community Councils in the Southwest Region (tri-state region embracing eleven local communities), in the States of Indiana and Minnesota, in Alameda and Contra Costa Counties, Calif., and in Essex County, N.J.; and local Jewish Community Councils in the following cities: Akron, Baltimore, Boston, Bridgeport, Brooklyn, Cincinnati, Cleveland, Detroit, Hartford, Indianapolis, Kansas City, Los Angeles, Milwaukee, New Haven, Norfolk, Philadelphia, Pittsburgh, Rochester, St. Louis, San Francisco, Washington, and Youngstown.

FOR RELEASE IN ANGLO-JEWISH WEEKLIES, WEEK OF MAY 18, 1952

NCRAC ORGANIZATIONS DENOUNCE
"NATIONAL COMMITTEE TO SECURE JUSTICE IN ROSENBERG CASE"
FOR RAISING FRAUDULENT ISSUE OF ANTI-SEMITISM

Major Jewish community relations organizations have issued a statement denouncing as "fraudulent" the effort of the Communist-inspired National Committee to Secure Justice in the Rosenberg Case "to inject the false issue of anti-Semitism" into the case of the condemned atomic secret spies.

The denunciatory statement was joined in by the American Jewish Committee, American Jewish Congress, Anti-Defamation League of B'nai B'rith, Jewish Labor Committee, Jewish War Veterans of the U.S., Union of American Hebrew Congregations, and the National Community Relations Advisory Council. The NCRAC is the central coordinating body for the organizations named as well as for twenty-seven local Jewish councils throughout the country.

The text of the statement follows:

Any group of American citizens has a right to express its views as to the severity of the sentence in any criminal case. Attempts are being made, however, by a Communist inspired group called the National Committee To Secure Justice in the Rosenberg Case, to inject the false issue of anti-Semitism into the Rosenberg case. We condemn these efforts to mislead the people of this country by unsupported charges that the religious ancestry of the defendants was a factor in the case. We denounce this fraudulent effort to confuse

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and manipulate public opinion for ulterior political purposes.

(Signed)

John Slawson, Executive Vice President
American Jewish Committee
David W. Petegorsky, Executive Director
American Jewish Congress
Benjamin R. Epstein, National Director
Anti-Defamation League of B'nai B'rith
Jacob Pat, Executive Secretary
Jewish Labor Committee
Ben Kaufman, Executive Director
Jewish War Veterans of the U.S.
Maurice N. Eisendrath, President
Union of American Hebrew Congregations
Isaiah M. Minkoff, Executive Director
National Community Relations Advisory Council

THE COMMUNISTS FIND A NEW OPENING

The efforts of the Committee to Secure Justice in the Rosenberg Case has created troublesome controversy in several communities.

Having been asked for information and advice on the subject by some of the correspondents of the American Jewish Committee, I have prepared the attached article for rabbis, Jewish journalists and other molders of Jewish opinion. I believe it will interest you.

Permission is hereby granted for publication of this article and for quoting any part of it, but only in Jewish periodicals and within Jewish circles.

Dr. S. ANDHIL FINEBERG

386 Fourth Avenue

New York 16, N.Y.

June 5, 1952.

THE COMMUNISTS FIND A NEW OPENING

The Rosenberg Case As A Wedge

— S. Andhil Fineberg

Until August, 1951, it was assumed that Julius and Ethel Rosenberg and Morton Sobell were as guilty of revealing the secrets of the atom bomb to a foreign nation as are Klaus Fuchs, Harry Gold and David Greenglass. In August The National Guardian (a "progressive" journal) began a series of articles by William A. Reuben, wherein the author reviewed the case against the Rosenbergs and declared them innocent. According to Reuben there were some persons in the case guilty of heinous misconduct, but these, in Reuben's writings, are the judge, the prosecuting attorney and the FBI who deliberately brought about a dreadful miscarriage of justice. According to Reuben, "Outside of lynch law there is probably no more appalling example in American memory of yielding to hysteria in the face of judicial tradition and historical and scientific fact than Judge Kaufman's death sentence of Julius and Ethel Rosenberg."

The Rosenbergs and Sobell were arrested in July, 1950, accused of having participated in an espionage ring which passed secret atomic information to the Soviet Union while the United States was at war. (Their espionage activities began June 6, 1944.) Their trial in a Federal Court ended on March 29, 1951 when the jury quickly arrived at a verdict of guilty for the Rosenbergs. One juror held out for several hours before the entire jury likewise found Sobell guilty. What the penalties should be were, according to law, a matter solely in the discretion of the judge. Anyone who cares to study the matter can readily obtain a copy of the law under which the defendants were tried, 32a, 33 and 34 of Title 50 of the U. S. Code. He will find that the law never refers to a "friend" or "enemy" nation. People are forbidden to give the secrets of the United States to a "foreign nation." He will find that the judge could not impose a life sentence. The alternatives for this crime are "death or imprisonment for not more than 30 years." After a week of what must have been soul-searching deliberation, Judge Kaufman on April 5, 1951, sentenced the Rosenbergs to the first of the penalties prescribed by the law, "death." Sobell was sentenced to 30 years imprisonment.

The Rosenbergs were certainly not railroaded to their death. Almost a year passed before the U. S. Court of Appeals on February 25, 1952, confirmed the decision of the Federal Court and also confirmed the sentences meted out by Judge Kaufman. Normally the attorney of a defendant has one month in which to appeal to the Supreme Court of the United States. The court readily granted the attorney for these defendants an extension for the time of appeal to June 7, 1952 (almost two years after their arrest).

The remarkable "findings" of William Reuben were not confirmed by the U. S. Court of Appeals, which includes one Jewish and several non-Jewish judges. They found nothing wrong in the conduct of the trial and agreed that the sentence of death was not excessive. These judges declared it not only advisable but "necessary" to "disregard what sentence this court would have imposed or what other trial judges have done in other espionage or in treason

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cases." One of the judges thought that Morton Sobell should be retried, but his opinion was in the minority. The final outcome of the Rosenberg case will remain uncertain until the Supreme Court either refuses to consider their case, or renders a verdict in regard to it.

Anyone who is perturbed about the Rosenberg matter should read the report of the trial. This information is available at any library which has a file of the New York Times or of the New York Herald-Tribune, or of any other newspaper which reported the case fully during March 1951.

Recently I looked up the names of the jurors and phoned one of them. I asked him whether there were any Jews on the jury. He said, "None of us paid any attention to that at all. Could have been. I don't recall."

"Were there any Cohens, Goldbergs or others with obviously Jewish names among the five hundred persons of the panel from whom the jury was selected?" I asked him.

"Of course, there were," he said readily, "but people were excused for any reason whatever that they wanted to be. Must have been three or four hundred excused for any of a dozen reasons. All a man had to do was to say he did not think he could render a fair verdict, and he was excused from that jury."

In accordance with the provisions of United States Courts 112(b), the jury for the Rosenberg case was drawn from panels of citizens who reside in eleven counties in the Southern District of New York. It is conceivable that had the laws of probability operated, three of the jurors (corresponding to the Jewish population which is one-fourth of the total of those eleven counties) would have been Jewish. Since no one at the trial was asked any questions that would reveal his religious identity, it is not known with certainty that none of the jurors was Jewish. The names give that impression. There were, however, other factors than chance operating among the four hundred and more people who might have served on that jury. If only one or two Jewish persons who were acceptable as jurors preferred not to serve, the law of probabilities ceased then and there to function.

The Committee to Secure Justice for the Rosenbergs makes much ado of the fact that the prosecution announced that it would call 118 witnesses, including outstanding atomic scientists, some of whom the prosecution named, but actually called only twenty. This, according to the Committee, was because the prosecution feared to put the scientists on the stand because it would have worked to the advantage of the Rosenbergs. Unfortunately, the average person does not realize that the defense would have summoned those very same witnesses if it would have benefited the defendants. What actually happened was that the prosecution having found the defense weak and unconvincing and being certain that the jury needed no further evidence, rested its case without putting the citizenry to the expense of prolonging the trial and without taking the time of highly valuable atomic workers.

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The Committee for the Rosenbergs claims that anti-Semitism was rampant in the case because the jury included no Jews. But it also insists that anti-Semitism was present just because the judge and the prosecutor were Jews. This is the type of "proof" the Committee uses. Non-Jews and Jews are assumed by the Committee to be tools of anti-Semitism! and on that assumption their case is built. The Committee would make no headway were it not for the fact that many people believe that the death sentence was too severe. On that point, people are most likely to be influenced by their own attitude and emotional reaction.

Never before did anyone possess access to a secret of the United States whose magnitude and importance possessed the power of an atomic bomb compared to a rifle bullet. Whether the Russians already knew the basic principles of the atomic bomb, is immaterial. Any well informed person knows the principles for making a watch, but no one can make it without a tremendous amount of knowledge concerning the details of watch making. The Joint Committee on Atomic Energy of the 82nd Congress in pages 60-162 of a report, Soviet Atomic Espionage, published a hundred pages of the verbatim testimony of David Greenglass in the Rosenberg case. The report of the Congressional Committee states: "Thus the conclusion seems reasonable that the combined activities of Fuchs, Pontecorvo, Greenglass, and May have advanced the Soviet atomic energy program by 18 months as a minimum. In other words, if war should come, Russia's ability to mount an atomic offensive against the West will be greatly increased by reason of these four men." (Soviet Atomic Espionage is available from the U. S. Government Printing Office at 50 cents per copy.)

If, as the jury found, the Rosenbergs were members of the espionage ring that gave the atom bomb information to the USSR, they have the kind of information about that ring which criminals are expected to impart if they are to receive a lesser sentence. The jury, knowing that the prosecution would ask the death penalty for the Rosenbergs, did not recommend clemency.

No attempt was made to plead the cause of the Rosenbergs outside of the courtroom until fully five months had passed after their conviction (when the articles in the National Guardian were published). More months passed before the Committee on their behalf was formed. The Daily Worker, which is now ardently backing the Committee, never mentioned their arrest or trial until they were convicted and then merely reported that they had been found guilty. The Civil Rights Congress, which now denounces the trial, had nothing to say about it until almost a year had elapsed after the trial.

All Communist sympathizers and especially the Civil Rights Congress must surely have followed the trial carefully. They have never been inarticulate whenever any trial, or even an arrest furnished opportunity for them to create a clamorous public issue. In this instance, from the time that the confession of Klaus Fuchs exposed Harry Gold who implicated David Greenglass, who in turn revealed the part played by the Rosenbergs and Morton Sobell, the weight of testimony apparently convinced even the Communists.

Why, then, this belated propaganda on behalf of the Rosenbergs? From the standpoint of Communist propagandists, the Rosenberg case provides several excellent approaches to the human heart. Who can view without sympathy two small children about to be bereaved of both parents at the executioner's hand? Sympathy for

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the young son who has presumably addressed a letter to "Dear God and Good People" on behalf of his two parents, is easily transferred from the child to his mother and father. The innocence of the child subtly cloaks the guilty parents. Similarly millions of people who are opposed to capital punishment are potential sympathizers for anyone condemned to death, including these two in the deathhouse. The passage of time has made it possible for the Committee for the Rosenbergs to present the case in the way they do. Their arguments are entering into minds which are no longer aware of the fact that Greenglass, who worked in the atomic plant at Los Alamos, proved in court to the chagrin and dismay of army officials that he walked about at will picking up secrets. It would have saved the reputation of high security officials to prove that David Greenglass was a false witness. The public is no longer aware that to counteract the damaging testimony of Greenglass and others the Rosenbergs offered nothing but mere denials, while Sobell remained silent. The public has forgotten that the judge made it most clear to the jury that the Communist links of the Rosenbergs and Sobell were not to be used as proof that they had committed this crime. Such testimony was necessarily admissible to show that these people were friendly to Soviet Russia and might have some motive for espionage. In a mimeographed release of the American Civil Liberties Union of May 2, 1952, Herbert Monty Levy, Staff Counsel of the ACLU, explaining why the American Civil Liberties Union will not intervene in the Rosenberg case, wrote: "We have carefully examined the remarks of the Court alleged in the brief of the attorneys of the Rosenbergs to be prejudicial and we find this point to be without merit. Membership in the Communist Party was expressly introduced as evidence of motive, which we felt under the circumstances was perfectly proper. It was not introduced to establish possible guilt of espionage."

The Communists would no doubt insist in the trial of an American who was accused of spying for Hitler that the fact he was a Nazi is pertinent. However, they take the position that if a man is a Communist, it has no bearing whatsoever upon his activities on behalf of Soviet Russia.

It is a tragedy for all concerned that Communist tactics are being used on behalf of the Rosenbergs. The death sentence may be questioned by honest people who are genuinely concerned with principles of justice. Communists are not motivated by those principles. They know only one goal -- supremacy for the Kremlin. And they know only one way of conduct. It is summoned up in the word "tactics." When it was good tactic for Hitler and Stalin to be allies, every Communist defended the Nazis. Americans who denounced the Nazi-Communist Axis were "war-mongers." When it was tactical in order to defend "the Workers' Fatherland" to encourage the American war effort, every Communist was for that tactic at that time. When the Communists of Soviet Russia were seeking to stamp out religion, every American Communist declared his atheism avidly. Now that religious persecution has reacted against Russia in public opinion, the Communists, although all of them are atheists, stretch out a hypocritical hand to clergymen. It is not surprising that the Rosenberg Committee has targeted its literature to rabbis. Not that they really care about principles, not even the principles on which depend the lives of people convicted of crime. But it

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is good tactic now -- very good tactic, to get those whom the public respects and who in turn respect justice and mercy to speak up in this case and become pawns of the Rosenberg Committee. Those who do not want to aid in the ultimate annihilation of all the principles dear to Western civilization may, if they wish, appeal for clemency for the Rosenbergs. No one interested in the case if he has studied the matter thoroughly and has something to say need remain silent. But he should speak to the point and not let his statements be misused. Whoever helps this particular Committee merely strokes another Communist oar.

In order to see more clearly what the Committee to Secure Justice for the Rosenbergs is doing, I attended a meeting. I heard a story told by the secretary of that Committee which resembled the one told in their literature. The one hundred people there who donated five hundred dollars to the Committee heard a version of the Rosenberg and Sobell case that would parallel the following account of Bruno Hauptmann's part in the kidnapping of the Lindbergh baby: "They found a ladder in Hauptmann's garage which looked like the one which was found at the Lindbergh home. Someone had left it there and Hauptmann had never seen it. Then there was a phonograph which they said he had bought with ransom money. Hauptmann's sister swore she had given him the phonograph. The only exhibits brought into the courtroom were a few dollar bills that had been part of the ransom money but which had been given to Hauptmann by a stranger." A person now reading the literature of the Rosenberg Committee is getting as distorted a statement of that case as this one is in regard to Hauptmann.

The star of the meeting was Mrs. Morton Sobell, who spoke under perfect emotional control, moving her audience profoundly as she fairly whispered each word, enunciating it perfectly and barely loud enough to be heard. When she had pulled all the stops of sympathy by her references to Julie and Ethel and Mortie and said, "Unless you help us we will be dead in forty days," the audience was weeping. When she had climaxed the thought that these three were the victims of a vast conspiracy which had already brought every American Jew to the gates of a new Auschwitz, she dramatically said, "Your money in my hands will save your lives. Your money in my hands will save the lives of your children." To that highly emotionalized audience it all seemed very plausible.

I wanted to ask Mrs. Sobell, "Why didn't your husband take the witness stand? Why didn't he testify on his own behalf? Why did your husband use five different aliases?" I wanted to ask her, "Why were the Rosenbergs preparing to flee the country and why had they tried to get another man out of it after Gold had been arrested and was likely to betray the facts about his accomplices?" There were other questions that would have shed needed light on the case. The audience had been kept in ignorance of facts my questions would have revealed.

Mrs. Sobell was no more willing to face a questioner than her husband had been. Having proved her ability to handle herself with consummate emotional control, at this point she dropped to the floor and a few minutes later was being escorted out of the room, safe beyond the range of questions. I asked one question, "Why was this campaign not begun earlier?" The executive secretary of the Committee replied, "All of us had thought they were guilty." That is reasonable enough until one asks, "Even the Civil Rights Congress? Even those whose business it is to investigate these things thoroughly and try to defend every Communist and

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Communist sympathizer?" In that case the evidence must have been infinitely more convincing than the Committee now claims it is.

If this were a case of genuinely attempting to vindicate people convicted of crime without other motivation, it would be ignored by those who believe the convicted parties are guilty. But the readers and audiences of the Rosenberg Committee are being told something much more significant than that. They are being told that Fascists have already gotten control of the United States and that every anti-Semitic act, whether in Miami, Philadelphia, Boston or Cicero, no matter whether it is the work of a few hoodlums or of a street gang, is the result of the machinations of powerful unnamed plutocrats who will doom every Jew to death unless the "progressive" forces are strengthened. Distrust of our country and its law courts is being poured into unsuspecting minds. It is not only the Rosenbergs but all the Jews of the United States who at the meetings of this Committee are pictured as already sitting in the death house. Every bit of fear or anxiety which people feel in these grim days is skillfully being played upon to make them feel more insecure and to destroy their faith in the United States.

People are signing (with their addresses) petitions on behalf of the Rosenbergs. That makes a good sucker list for the underground directors of the Communist party and their above-ground agents. According to the Committee's executive secretary there are now active committees in twenty-six cities. At each of several meetings two thousand dollars or more has been collected. For what? To drive home to all Americans that the atomic spies were Jews, when practically every American journalist and every radio speaker and every decent American scrupulously avoided mentioning that purely incidental fact? When all decent Americans have tried to disassociate completely the race, religion and ethnic origin of Communists from the fact that they are Communists, what despicable disservice it is to proclaim that these people are Jews and to build a false and lurid tale of an anti-Semitic conspiracy that sends innocent Jews to their death and plans the annihilation of Jewry.

Where is the proof of the Rosenberg Committee that Judge Kaufman or any one else was guided by anti-Semitism or the fear of it? By what right do these servants of Moscow who demand proof absolute, testimony indubitable and facts incontrovertible when any of their own people are accused of anything, -- by what right do they scream "Anti-Semitism" when all that they offer is suspicion and conjecture about mental processes which even a psychiatrist would find difficult to explore? Who spoke to the judge? Who intimidated the prosecuting attorney? When, where and how was this alleged influence exerted by the anti-Semites? Must we forever let Communists bring charges against others which they would rightfully spurn as mere rumor, guess and conjecture if it were directed at anyone they favor? By what right do they attempt to assassinate the reputation of men in responsible positions by screaming anti-Semitism without any other evidence than their own distortions of logic?

Lest anyone innocently and unwarned become beguiled by the specious appeals of the Committee to Secure Justice in the Rosenberg case and contribute to that vehicle for corrosive propaganda, the National Community Relations Advisory

-7-

Council, on behalf of all of the Jewish community relations agencies (both national and local) issued on May 13, 1952, the following statement:

Any group of American citizens has a right to express its views as to the severity of the sentence in any criminal case. Attempts are being made, however, by a Communist inspired group called the National Committee to Secure Justice in the Rosenberg Case, to inject the false issue of anti-Semitism into the Rosenberg case. We condemn these efforts to mislead the people of this country by unsupported charges that the religious ancestry of the defendants was a factor in the case. We denounce this fraudulent effort to confuse and manipulate public opinion for ulterior political purposes."

This unequivocal statement is the result of considerable study of the propaganda of the Rosenberg Committee. Once more we find Communists and fellow-travellers trying to make anti-Semitism and anti-Communism appear synonymous. Hostile to Judaism and devoid of religious principles, they try to blackmail American Jewry into promoting Communist causes. They employ any tactic that may ensnare the unwary. The net that is being woven from spurious threads of the Rosenberg case must be regarded as one more example of Communist trickery.

June 3, 1952
SAE/lhp

Rev. Dr. Daniel A. Poling
27 East 39th Street
New York 16, N. Y.

APPENDIX B-5

Murray Hill 6 - 0712

FOR RELEASE: P.M. Papers, Mon. Jan. 5, 1953
A.M. Papers, Tues. Jan. 6, 1953

The following joint statement on the Julius and Ethel Rosenberg case by six representatives of the three major religious groups of the United States -- Charles E. Wilson, industrialist and former president of General Electric Company; Samuel I. Rosenman, former Supreme Court Justice, New York State, and former counsel to President Roosevelt and President Truman; Clarence E. Manion, professor of law and former Dean of the College of Law of Notre Dame University; Rev. Dr. Daniel A. Poling, editor of "The Christian Herald"; Father Joseph N. Moody of Cathedral College, New York; and Rabbi William F. Rosenblum of Temple Israel, New York -- was issued today (Monday, January 5th) by Dr. Poling on behalf of the group:

"The case of the convicted atom spies, Julius and Ethel Rosenberg, is being exploited by typical Communist trickery to destroy faith in our American institutions. In addition to those who for legitimate reasons want the death sentence of the Rosenbergs commuted, there are others who use the commutation plea as grist for Communist propaganda mills.

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"The Rosenbergs, who in July, 1950, were charged with war-time espionage, have received and continue to receive the full benefits of traditional American jurisprudence. Nevertheless the impression is being deliberately fostered here and abroad that the Rosenbergs were doomed by a planned miscarriage of justice arising from anti-Semitic and other reprehensible influences. Neither racial nor religious prejudice has been involved in this prosecution. All responsible organizations concerned with protecting civil liberties have stated so publicly. Racial and religious groups as such have no special interest in the Rosenberg case and cannot properly become involved in appeals on their behalf. Those who join in organized campaigns for clemency in this case have knowingly or unwittingly given assistance to Communist propaganda.

"Appeals in regard to clemency should be directed to the Rosenbergs themselves. They have revealed no regret for the harm which they have done our nation nor any desire to assist the Department of Justice. They have failed to take steps that might warrant clemency."

* * * * *

DEPARTMENT OF STATE
WASHINGTON



September 17, 1953

Dear Dr. Fineberg:

Pursuant to our telephone conversation today I am enclosing two chronologies of the Rosenberg Case, which I hope you will find useful. You will notice that the chronology goes only as far as May 25 but I am sure you have all the details necessary for bringing them up to date.

I think you will be interested to know that the first telegraphic reports that the Communists were using the Rosenberg Case for propaganda purposes came after the conviction of Slansky and the other defendants in the Prague trials, November 27.

(1) Vienna, November 28: The Austrian Federation of Democratic Women and 7,000 Lower Austrian oil workers requested the Embassy in Vienna to transmit to President Truman, appeals to save the Rosenbergs.

(2) London, November 28: Announcement of the formation of a national committee for defense of Rosenberg which was scheduled to publish a leaflet giving the "facts" in this "frame-up."

(3) Rome, December 1: The Embassy reported that a campaign for clemency for the Rosenbergs had been running in the Communist press for some weeks but had been high-lighted December 1st by a message sent direct to President Truman by Pietro Nenni, leader of the Fellow Traveling Italian Socialist Party. The Embassy reported also that the Communist UNITA on December 1 devoted a front page article datelined Prague, refuting charges on the Italian Government-owned radio that anti-semitism had figured largely in the Prague trials. The Embassy reported that the refutation was particularly clumsy and felt that the awkward predicament in which

the Communists

Dr. S. Andhil Fineberg,
Chesterfield Road,
Brattleboro, Vermont.

- 2 -

the Communists had been placed by reports of the outcome of the Slansky trials explained the comparative silence regarding the Rosenberg Case in the Italian Communist press of the previous two days.

(4) Copenhagen, December 1: The Embassy reported that Mogens Fog, chairman of the Danish Peace Partisans, had sent telegrams to President Truman and Gottwald appealing for remission of the death sentences of the Rosenbergs and the Slansky conspirators.


It is noteworthy that this was the last heard of the blunder, from the Communist point of view, on the part of Mr. Fog.

(5) Paris, December 4: The press carried announcements of the establishment of a committee for the defense of the Rosenbergs. The liberal press carried the announcement and already there were indications that the Communists had been able to gain acceptance of their version of the Rosenberg Case in certain liberal circles.

(6) London, December 4: The Embassy reported that the sharp intensification of the Communists Rosenberg Case campaign in recent days clearly indicated the Communists attempt to divert attention from the Prague trial with its overtones of anti-semitism.

I hope to send you photographs at an early date.

Sincerely,



Merritt N. Cootes
Western Europe
Public Affairs

Enclosures:

Two chronologies of the
Rosenberg Case.

LAW OFFICES
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Segal
Ging
Hunt
Shuster

15 February 1954

Dr. Simon Segal
American Jewish Committee
#386 Fourth Avenue
New York, N. Y.

Dear Simon:

On February 12, Zach Schuster and I had a conference over lunch with Mr. Jesse McKnight and Mr. Cox of the State Department. We talked for a long time, primarily about two things. One was the Rosenberg case, and the impression which it has left even in non-communist circles in Europe. The other was the general question of what might be done to make for better understanding of the United States and its policies in Europe and in what way the European office of the American Jewish Committee might cooperate.

Preliminarily, Zach made what I thought was a very excellent statement of the general position, problems and policies of the American Jewish Committee office in Europe. I may say, for myself, that the statement made by Zach was extremely impressive. In any case, I am sure that it impressed our State Department friends.

Coming to the specific matter of the Rosenberg case, Zach pointed out that the matter had had a very substantial impact in Europe. He mentioned the fact that the Communists had used an apparently straightforward and factual line with respect to the case, emphasizing those questions which might normally occur to a reasonable and impartial person. Among the questions were the contrast between the sentence meted out to the Rosenbergs and that which was received by Fuchs in a comparable matter in England; the question as to whether Greenglass and Rosenberg actually were equipped intellectually and by training to pass on secrets involving anything as intricate as the atomic bomb; the question whether the Rosenbergs were not convicted solely on the testimony of Greenglass, a co-conspirator, who might have been saving his own neck at their expense; and the asserted statement by prosecution that it would produce atomic scientists to testify in the case whereas it did nothing of the sort.

Zach indicated that all of this had had a profound impression in Europe, and that ordinarily friendly newspapers, and newspapers which were violently anti-communist, were taking a line which was not dissimilar from the Communist line in this case. This, of course, arose as the result

Page Number Two
Dr. Eugene Hevesi

of their being convinced that there was actually a denial of justice here in the United States. Zach therefore suggested, as a complement to the Fineberg book the preparation of a strictly factual brief pamphlet. This, he suggested, should be prepared by a European lawyer of such distinction and standing in the community that it could not be questioned. He suggested the possibility that such a person might be brought to the United States and might be given access to the court records et cetera, at the end of which time he could prepare a report which would at least be available for such defense as the United States might wish to make in this particular matter in the event that the anniversary of the execution might be marked by demonstrations in Europe, et cetera. Zach pointed out that, as a propaganda matter, the Rosenberg case is already an irrevocably lost proposition for the United States and that there is no point in bringing the case up as a voluntary matter again. However, it was agreed that the matter will probably be raised again by the Communist side and that at that time it would be highly desirable to have the kind of pamphlet Zach suggested ready for distribution and ready to be put into the hands particularly of the leaders of public opinion.

This suggestion was welcomed by McKnight and Cox. There was a considerable amount of discussion on it, including the question of whether such a person should come to the United States under government sponsorship - as to which it was agreed that he should not. The question was also raised as to what might happen if such a person, upon investigation of the records, came to the conclusion that there actually was something to the accusation made as to the manner of the trial of the Rosenbergs, et cetera. As to this, it was agreed that something of this sort was a risk that would have to be taken if the idea was to be taken up at all. The opinion of some person who was willing to guarantee what his ultimate conclusion would be, in advance, would undoubtedly not be worth anything at all. Therefore, if the idea had merit, it would have to be based on the full and frank review of the record by a person who was above suspicion that he had committed himself to the United States point of view in advance.

Next, there was a considerable amount of discussion as to the manner in which the Communist side infiltrated the thinking of even non-communist elements particularly in France, but also the rest of Europe. As to this, it was suggested by Zach, that it might be desirable to think along the lines of a Franco-American Society, aimed at bringing together more or less intellectual people. The idea would be to have fairly regular meetings at which the American point of view could be presented to those persons who really are influential in connection with influencing European thought. At such regular meetings, writers, editors, people of that sort would have an opportunity to meet with Americans to ask questions and to discuss matters on which the American point of view would be presented, et cetera. This would be a continuing effort and it would mean that the American point of view was being at least explained, informally and unofficially but at least regularly to a very influential

Page Number Three
Dr. Eugene Hevesi

section of European opinion. This idea was also welcomed by McKnight and Cox.

In the same connection, it was pointed out that Evidences is, so far as we know, the only magazine published by an American private organization, under its own name, in French, with articles written by foreign authors for a foreign audience, but to a considerable extent presenting an American point of view. It was pointed out, for example, that Evidences was the only magazine which had printed an article in French on the Rosenberg case, presenting certain of the facts from the American point of view. McKnight was extremely interested in Evidences, which apparently he had not previously seen, and asked to be put on the mailing list for the magazine. He indicated he was interested not only from the point of view of distribution in France and its effect on the French public, but also because it might be the source of valuable material from the point of view of the State Department here in Washington. They were, apparently, from time to time somewhat at a loss for European material presented from a European point of view which could be the basis for fact sheets, documents, one thing or another, which are prepared and distributed by the State Department. And, from this point of view, he was also quite interested in Evidences.

The above is a very brief summary of an extremely long and extremely interesting meeting. My own opinion is that the meeting was extremely valuable in that it brought specifically and directly to the attention of influential people in the Department, the existence of the European office of the American Jewish Committee, and the importance of the work which is done by that office. I am sure that McKnight and Cox were impressed and that the contact thus established is an extremely valuable one.

Sincerely yours,


Seymour J. Rubin

SJR/rs

February 18, 1954.

TO: Zach Shuster

FROM: Eugene Hevesi

SUBJECT: Your discussion with the State Department on February 12

I fully share your view that this fine initiative of yours should be followed up, kept alive and broadened by us into a more active and systematic kind of advisory collaboration.

For the moment, the following bits of suggestions occur to me:

1. While there is less need for countering the Rosenberg propaganda in England, it might make it easier for the prominent French lawyers in question to undertake the suggested role if their position would be bolstered by the fact that leading British lawyers do likewise. In addition, the better understanding of American law by the latter might helpfully influence the thinking of their French colleagues. A joint undertaking by prominently liberal British and French jurists would simplify the procedure, make the impact stronger and save time.

2. The prospective authors of the booklet should, of course, not be guests of the government. They should be invited and their visit sponsored by some non-sectarian American voluntary organization of unquestionable democratic and liberal repute, the objective of which is not primarily or exclusively the fight against Communism. The Woodrow Wilson Foundation, Freedom House, or even the ADA, would be good for the purpose.

3. For ^{the} case the persons in question do not, in the end, arrive at desirable conclusions, the entire plan as well as their visit here ought to be kept strictly confidential.

4. I completely agree with your view that the pamphlet ought not to be used as ^a spontaneous contribution, but as an answer to the next Communist

propaganda wave. This underlines the need for the confidential treatment of the preparations.

5. The Franco-American Society proposal is identical with the suggestion I made to John Slawson upon my return from Europe last July. My only comment today is that the setting up of such a group would take time, considerably delaying the arrangement of the urgent and so highly desirable spiritual exchange between French and American liberal intellectuals. I wonder, therefore, whether you would not wish to make the suggestion to the State Department that Evidences would be in a position to span the gap and test the ground by arranging one or two symposia of the proposed nature. I feel that thereby you would strengthen our position in this relationship, and establish your future influence upon the Franco-American group.

6. In your correspondence with Mr. MacKnight you might mention our various surveys of European reactions to developments in the U.S., the need for them, and, in case the Paris Embassy does not supply reports of this nature, suggest that such surveys be made part of their program.

#

(Rosenberg case)

April 8, 1954.

Dear Zach:

CONFIDENTIAL

I believe that the recent marked weakening of the position of Joe Mac Carthy has created a much more favorable atmosphere for the launching of your ingenious plan of publishing a European legal study of the Rosenberg case by prominent French and British lawyers in Europe.

I say this because it has been my belief all along that the only really undesirable factor which exerted influence in the treatment of the case, was the pressure, and the fear of the political repercussions of the pressure, of our demagogues. Only their execution transformed the Rosenbergs, these contemptible creatures, into "martyrs" and "heroes," and their case into a cause celebre for world-wide Communist exploitation, while the recent judicial murder of the second-ranking Soviet leader and his cronies failed to make even a ripple anywhere.

It is quite obvious that if the poisonous atmosphere created by our ultra-patriotic fakers would not have prevented both Presidents from considering the foreseeable foreign political repercussions of the executions and from exercising their right of executive supervision of the judgment, in a manner advantageous to U.S. interests, there would have been no Rosenberg case.

This may sound somewhat superficial but, in substance, this is the situation. I believe, therefore, that for the prospective author or authors of the pamphlet, it would be much easier now than it would have been earlier to undertake this task and to produce a balanced analysis, establishing the judicial correctness of the trial on the one hand, and on the other attributing the actual genesis of the notorious "Rosenberg case" to the pressure on the political level of the extremists whom Communism had helped to undeserved but temporary prominence in America, and who, in turn, so tremendously helped the cause of Communism by preventing administrative commutation and thereby actually creating the big Communist propaganda affair.

I firmly believe that this is the only tenable criticism that exists and if the prospective author wishes to be impartial and make use of it, all the better from every point of view.

American Jewish
Committee

MAY 20 1954

CENTRAL
FILES

Mr. Zachariah Shuster

-2-

April 8, 1954.

I would appreciate your views about this approach and also some indication whether you share my feeling that on this basis some good man may soon be found to do the project. I am sure the State Department would be grateful if you could come forward with an early concrete proposal in this direction.

Best regards.

Sincerely,

Eugene Hevesi.

Mr. Zachariah Shuster
30 rue La Boetie
Paris 8, France

EH:mh

cc: John Slawson ✓
Simon Segal
Morris Fine
Seymour Rubin

American Jewish
Committee

MAY 20 1954

CENTRAL

THE AMERICAN JEWISH COMMITTEE

MEMORANDUM

CONFIDENTIAL

March 30, 1953

MAIL SPECIAL

*Community Relations
Technique*

To: Seymour Samet
From: Manheim S. Shapiro
Subject: Rosenberg Case

With regard to your memorandum on this subject of March 27th, there are several points I want to make clear.

1. The American Jewish Committee neither favors nor opposes clemency for the Rosenbergs. We oppose a claim for clemency on the grounds that the Rosenbergs were denied fair judicial process because they were Jews. We believe that clemency is a matter to be decided by the usual procedures in the courts or the executive branch. I might personally point out that the tendency to influence these processes by mass pressure tends to corrupt the independence of the judiciary and the executive and lead to serious abuses of legal procedure.
2. We have found that most of the organized committees for clemency for the Rosenbergs are activated and led by Communists. They become, therefore, primarily a device to undermine by propaganda confidence in the government of the United States and in its judicial procedure. We would therefore urge persons who are impelled by conscience to object on humanitarian grounds to the rigor of the sentence to make certain that their impulses are not exploited for these subversive purposes. We would never urge a person who feels the sentence is unjust not to express himself to the President in an upright and straightforward manner. We would urge him to make sure that he does not do so through a group which will destroy the very ideals he believes in.
3. We are concerned about the fact that such decent human impulses as are described above are manipulated and distorted by Communists who use them as an entering wedge into the minds of individuals and organizations. From that point of view, we are anxious to clarify to significant individuals what is at stake in this question and the cares that they ought to exercise. (This technique is used particularly to appeal to the sense of decency of young people.)
4. The charge that the American Jewish Committee is anti-Semitic is not new with the Rosenberg case. It has been the cry of those who oppose our point of view over a long period of time and the record speaks for itself.

Regards.

MSS/rhf

THE AMERICAN JEWISH COMMITTEE

MEMORANDUM

C O N F I D E N T I A L

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To Manheim Shapiro

Date 3/27/53

From Seymour Samet

Subject Meeting with F.B.I.

Yesterday I met with two agents of the local office of the F.B.I. who spent about two hours discussing matters pertaining to subversive activities in this area.

I made the agents aware of the areas of our concern and it was agreed that we could be of mutual assistance concerning several specific areas of activity.

Among other things discussed was the activities of the local "Committee for Clemency in the Rosenberg Case". I learned that although the newspapers have only referred to one meeting by this group, they have actually been in operation for some time, holding meetings and raising funds. Their previous activities, although they had been accomplished quietly, have been somewhat effective.

An interesting aspect of this concerns a meeting of a young adult group at the Jewish Community Center, Miami Beach. Fred Routh of the Human Relations staff at the University of Miami was asked to participate in a debate on the issue of clemency for the Rosenbergs. He indicated that he had a conviction which opposed the concept of clemency and was asked to speak along those lines. I supplied him with material from our files on the case. He reported that during the meeting about half of an audience of approximately 16 made charges that the trial was unfair, that anti-Semitism was an issue in the case. When Routh pointed out that both the Committee and the ADL had rejected the charges of anti-Semitism as being fallacious, several in the audience countered by saying that the AJC was anti-Semitic and, among other things, gave as proof the anti-Communist position which we have always maintained.

I plan to bring the above incident to the attention of the Director of the Jewish Community Center. I also am sending a communication to all of the Rabbis, heads of Jewish organizations and members of the Council of Churches, indicating our position on the Rosenberg case and urging that no support be given to the requests by the Committee for Clemency for funds or other support.

SS:rm

cc: Nathan Weisman
Sol FinebergAmerican Jewish
Committee

AUG 12 1953

CENTRAL
FILES

SAN FRANCISCO JEWISH BULLETIN

Vol. 127, No. 7, Feb. 18, 1977

COVERING GREATER SAN FRANCISCO, MARIN COUNTY AND THE PENINSULA

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ATTORNEY PERLIN SEEKS TO REOPEN 1960'S CASE

'Jewish Group Urged Conviction Of Rosenbergs'

By Phil Bronstein
(Jewish Bulletin Assistant Editor)

Some Jewish organizations succumbed to the prevailing anti-Communist fervor during the 1951 espionage trial of Ethel and Julius Rosenberg. The Rosenbergs, charged with selling A-bomb plans to the Soviets, were convicted and were executed on June 19, 1953.

Arguments have been going on ever since as to whether the couple was guilty or were set up by the government and the court as sacrifices to the hysteria of McCarthyism. According to attorney Marshall Perlin, who since 1951 has been at the forefront of legal efforts to reopen the case, letters

from the Anti-Defamation League to the FBI in July of 1953, urge that the Rosenbergs be convicted. The letters also call for something to "be done" about Rosenberg defense attorney Emanuel Bloch for his "unpatriotic" comments during the trial and suggest that the presiding judge "get the praise and support he deserves."

Perlin obtained the ADL letters and 3,000 other FBI documents after making a demand for the FBI's Rosenberg files under the 1974 Freedom of Information Act. Those 3,000 Perlin says, are just a fraction of the total (33,000 pages) the FBI had — many of them have already been destroyed.

But Perlin claims that even the limited files he has obtained contain startling revelations which refute the key evidence that convicted the Rosenbergs. "The material establishes," Perlin said in an interview with the Bulletin, "that the three witnesses the prosecution's case depended on, originally gave different statements to the FBI than those they gave at the trial. "Those documents, Perlin insists, would have impeached those witnesses had the FBI "suppressed the evidence they had."

The most serious of the FBI documents for Perlin, are those showing that presiding Judge

Julius Kaufman "violated his oath of office. For instance he said before the trial that if the Rosenbergs were convicted he would impose the death penalty. Also, when the execution was temporarily stayed, Kaufman wrote the FBI saying he was concerned that the Rosenbergs wouldn't be executed soon enough." Perlin has put this evidence and other documents into a pamphlet, "The Kaufman Papers" which outline Kaufman's activities in the case.

Perlin also discovered, on the basis of a 1966 court action he initiated, that the "secrets" the Rosenbergs allegedly passed to the

Soviets were actually valueless. "The supposed secret was impounded after the trial. We moved to unimpound it and the government subsequently admitted that the information had been declassified and in the public domain long before the trial. And the 'importance' of it was what Kaufman based his sentence on."

Perlin dismisses the notion that there was a huge conspiracy to convict the Rosenbergs but rather thinks it "started slowly, built up, and developed into a 'Frankenstein.' One FBI or CIA agent may have started a path that others just

(See ROSENBERG Page 20)



YADLIN PLEADS GUILTY

Labor Party Rocked

TEL AVIV — Israel's governing Labor Party was shaken as one of

fund-raising under pressure from such leaders as the late Pinhas

Jewish Groups Urged Rosenberg's Conviction... Holocaust's Effects...

(Continued From Page One)

followed. People like Judge Kaufman were motivated by emotion — some political, some personal. I have records that, months before the trial the congressional committee on atomic energy met in executive session with the prosecutors to decide how to get a death sentence at the trial as a means of deterring others from having radical thoughts. We'll never know all the motivations behind the execution though."

Perlin speculates that "if the Rosenbergs hadn't been Jewish, you wouldn't have had a Jewish judge. And you wouldn't have had a Jewish judge giving a death sentence. Also, if they hadn't been Jewish and had still been sentenced to death, I don't think it

would have been carried out. I don't think it started out as anti-Semitic but I think it became that way because the Rosenbergs were Jewish and "radical/Communists."

Still, a New York Jewish paper was one of the first public voices against the death sentence. On the other hand, Perlin remembers "you had some Jewish people and organizations who were so preoccupied in proving they weren't Communists that they urged the Rosenbergs be prosecuted to the fullest. Some groups expelled many of their own members who were even slightly suspect. While many brave Jews didn't play this game, others were fearful of not being fiercely loyal to the U.S., especially with the memory of the Holocaust so fresh!"

There are two Rosenberg sons, Robert and Michael Meeropol (the surname of their adopted parents). Perlin is currently working on their behalf to reopen the case. Although the lives of the Rosenbergs are beyond any reversal and their co-defendant, Martin Sobell, has already served his lengthy prison term, Perlin says the Meeropols can bring a

wrongful death case against those who caused their parents to be killed. Also, a number of people involved who are still alive could be liable for other criminal action should Perlin's contentions prove correct.

Most importantly, Perlin says he wants the full story to come out so that "the American people can see how the processes of our government and courts were abused to bring about the conviction and deaths of two innocent people. We would hope that, once we have the documents and make them public, there is less of a chance this kind of thing will happen again."

Perlin, who is Jewish himself, cringes a bit when his 20-year involvement in the case is described as "obsessive." He never met the Rosenbergs but he helped their attorney with final pleas and spent the last day of their lives chasing down federal judges to try and obtain a last minute stay of execution.

(Perlin was here to speak at the S. F. Jewish Community Center and to meet with members of the local Bay Area Committee to Reopen the Rosenberg Case, based in Kensington, Ca.)

Youth Dance

The youth of Congregation Ner Tamid, 1250 Quintara St., are sponsoring a dance on Saturday, Feb. 19 from 8-11 p.m. at the temple. There is no admission charge and admission is by invitation only. For information, call 661-3383.

Council President

WINNIPEG — (JTA) — Al Omson has been elected president of the Winnipeg Jewish Community Council/Canadian Jewish Congress, succeeding Morley M. Globerman.

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Jerusalem.

Dr. Karr's research has indicated to him that virtually without exception there appears to be clearly identifiable second-generation effects, and these effects differ according to whether both parents, or one parent, was incarcerated in a camp, or if both parents realized what was happening and got out in time.

He says that the symptoms of offspring whose both parents were in concentration camps often parallel what has been called the "survivor syndrome" in the parents themselves.

"This is not to be unexpected," he says, since the survivors were usually irreparably damaged, and immigration to the United States did not often help matters much. Those who immigrated to Israel fared better, and their families are generally healthier. In Israel there was the chance to go through the normal process of mourning, bereavement, and loss, and a feeling of individual identity was fostered by a strong sense of group identity, cohesiveness and meaning in frontiering the homeland."

Dr. Karr says that at this point in the United States, over 35 years later, the situation for survivors and their families is changing

(Continued From Page One)

dramatically. He points out that the survivors are older, many near retirement, and their children are often grown and out of the home. Now suddenly the intense memories of the Holocaust are returning. At the same time, the children are facing separation from home, and often anticipation of starting a family of their own.

"I have received phone calls from participants in my study, four years later, to check with me about their plans, and to seek more information about the results of my study. I have seen this partially as a gesture of reaching out for help, but so far, they have been unable to fully do so, and the organized Jewish community in the San Francisco Bay Area has failed to develop an adequate mental health program for them."

Dr. Karr suggests several ways to meet this need.

"We can have an active group outreach program aimed at the current needs of the second generation — possibly through small discussion groups which in time can move towards a more comprehensive treatment experience."

He said he would like to see a program of research to investigate the effects on the third generation.

Singles Dance

L'Chaim Jewish Singles will hold a dance in the ballroom of the Ft. Mason Officers Club on Saturday, Feb. 26 from 8 p.m. to midnight. There will be dancing to the Sonny Alt Trio and a no-host bar. Admission is \$3.50 for members and \$5 for non-members.

Purim Dinner

Congregation Adath Israel, 1851 Noriega St., will hold its installation Purim dinner on Sunday, March 6. Members of the National Conference of Synagogue Youth will present a program. Donation is \$7.50 for adults and \$3.50 for those under 16. For reservations, call 564-5665 (days) or 661-4468 (evenings).

BOARDING HOME

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Batya Oneg Shabbat

Batya Group, Hadassah will sponsor an Oneg Shabbat on Saturday, Feb. 26 at 1 p.m. at the home of Monica Zimmerman, 240 Cervantes. Rabbi Marvin Gross will speak on "Contemporary Trends in Jewish Demography." For information, call 922-0131.

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...students about the l, a spirit he said,

organization committed to the strengthening of Jewish education and identity. A Bnei-Akiva group is currently being formed in the Bay Area.

ADL...

(Continued From Page One)

deliberately and insistently tried to make a "Jewish" issue out of the Rosenberg tragedy. In May, 1952, while the case was still pending in the courts, the major Jewish organizations, including ADL, issued a statement denouncing the effort of Communist organizations to inject the "fraudulent" issue of anti-Semitism into the case. The ADL insistently warned its constituency against allowing B'nai B'rith, or any representatives of the organized Jewish community, be drawn into the matter. We told our members that they were free, if they so chose, to become involved as individuals in the public controversy surrounding the case, or be involved through other types of organizations - but not to enmesh Jewish organizational life in a case in which it had no proper role.

"We believe that this was the correct position then and that it is correct today.

"Those who are seeking now, rightly or wrongly, to resurrect the Rosenberg case, have no right to inject into it a false claim of its being a "Jewish" issue."

(The Bulletin wishes to make it clear that the paper in no way vouches for the veracity of Perlin's charges. We have no evidence that ADL ever urged the conviction of the Rosenbergs nor that their legal counsel be called to account for his conduct. The Bulletin regrets any such impression given in last week's story.)

Segal...

(Continued From Page Four)

even MacArthur counselled against? Nothing worse? Our new Secretary of State, Cyrus Vance, who reasoned our involvement in

not their own. But observers believe the Secretary's choice of the phrase "Geneva-type" reflected his strategy for dealing with the single major obstacle in the way of Middle East peace talks—the participation of the Palestine Liberation Organization.

If the meeting is a "Geneva-type" gathering rather than a resumption of the Geneva conference that briefly convened in Dec. 1973, Israel may be more amenable to some form of PLO presence, the observers said. In Cairo, Vance welcomed President Anwar Sadat's latest remark favoring a Jordan-PLO link-up before the Geneva talks are resumed as a possible means of bridging the gap between Israel and the Arab states over PLO participation.

Obituaries

BLEIMAN, DINAH. In Redwood City, California, on February 17, 1977. Wife of Henry Bleiman of Redwood City. Mother of Minette David Johnson of Redwood City and Sister of Matilda Greenfield and Herman Greenfield, both of Brooklyn, N.Y. Grandmother of three and great-grandmother of two. Member of Temple Beth Hachai and B'nai B'rith. A native of New York City. Services were held at White Oaks Chapel, 1696 El Comino Road, Community of Carlos. Entombment: Hills of Eternity Cemetery, Colma.

UDEN, GEORGE. On February 16, 1977. Husband of the late Sarah Uden. Father of Samuel Uden and Marcia Galant. He donated grandfathers and great-grandfather. Services at Sinai Memorial Chapel. Contributions to your favorite charity preferred.

FISCHER, BEATRICE Z. On February 17, 1977. Wife of the late Albert (Al) Fischer. Sister of Jeanne Heller. Aunt of Jacob S. Heller. Grand-aunt of Col. Heller. Services at Sinai Memorial Chapel. Rabbi required. White officiating. Inurnment Gardens of Eternity, Colma. Contributions to vol-

Yadlin Gets 5 Yea

TEL AVIV, Israel — Labor party leader Asher Yadlin was sentenced to five years in prison this week on corruption charges as other leaders of Israel's ruling party gathered for the most critical meeting in its history.

Yadlin, 53-year-old former head

of the national health service whose arrest last October blocked his appointment to head the Bank of Israel, was sentenced to five years in jail and fined \$28,000 for taking \$9,000 in kickbacks on real estate deals and evading land taxes.

Yadlin, who pleaded guilty last week, was given a six-year sentence for evading land taxes run concurrently with back sentence. Yadlin's credit for the four months spent in jail since his arrest Oct. 19.

His attorney said the sentence would be appealed.

District Judge Haim Ito said in passing sentence that he did not accept Yadlin's statement that he passed back money on to the Labor party. But she added that she took into account her opinion on Yadlin's statement that he transferred "millions" of funds to the party's 1977 campaign fund.

Yadlin triggered a political scandal with his testimony last week that he had received illicit funds from party figures as Finance Minister Yehoshua Rabinowitz, Finance Minister Pinchas Plesner and Finance Minister Yehoshua Kalderson, chairman of the

(See YADLIN Page 19)

'Intensive Diplomacy' Mideast Need - Vance

JERUSALEM - (JTA) - U.S. Secretary of State Cyrus Vance has left a clear impression here - and apparently also in the Arab states - that the months ahead will be a time of intensive diplomacy aimed at getting Middle East peace talks underway before the end of the year.

Vance has just completed a six-nation tour of Israel and Arab countries.

The American time-table is

beginning to take shape. Vance came to the Middle East with invitations from President Carter to the heads of the state in the region to visit him in Washington during March and April. Premier Yitzhak Rabin, or possibly his successor, is expected to go to the U.S. before the middle of March, to be followed by a succession of Arab leaders. The avowed purpose of these meetings with Carter is to

(See VANCE Page 19)

ADL Denies Charges Made By Perlin

Arnold Forster, general counsel for the Anti-Defamation League, has denied charges made by attorney Marshall Perlin (Bulletin, Feb. 18). Forster's statement said:

"The ADL was grievously wronged in the Feb. 18 issue of the Jewish Bulletin, falsely charged with having urged that Julius and Ethel Rosenberg be convicted during their trial in the 1950's. ADL deeply believes in the constitutional principles that a man is innocent until proven guilty and is entitled to a fair trial. Nor did ADL ever ask that something 'be done' about the Rosenberg trial. No charges such as those

made against ADL should be printed without documentary evidence.

"Soon after the Rosenbergs were apprehended, charges were spread that anti-Semitism was the root cause of the indictment. The ADL made an all-out effort to trace any possible basis for the assertion, and never - to this day - has found any such evidence.

"What we did find, and what we said so publicly at the time, was that Communist elements in this country and elsewhere were intent on blurring the issues with false charges of anti-Semitism. They

(See ADL Page 19)

and development would be devised."

The meeting will also focus on Women's American ORT's increased efforts on behalf of quality education in

We are certain that we reflect the thoughts of every member of our Jewish community when we wish them a Y'ascher Koach. May they go from strength to strength!

We disagree with the ADL

In keeping with our policy of even-handedness, we publish on page two of this issue a disclaimer by the Anti-Defamation League, in which they viciferously deny the charge that they helped convict the Rosenbergs. (See page 2, March 3, 1977) Marshall Perlin, the attorney involved, has promised a reply to their denial.

Without attempting to pass judgement as to who is right in this instance — we will allow the two statements to speak for themselves — there is one point of difference we must make. We refer to that portion of the ADL reply in which they state: "Those who are seeking now, rightly or wrongly, to resurrect the Rosenberg case, have no right to inject into it a false claim of it being a 'Jewish issue.'"

What "false claim?"

Anyone who lived through that awful period of American history knows perfectly well that it was very much so. March 10, 1977

Jewish issue. We didn't make it that; the anti-Semites did. To this day they propagate the canard that we were traitors and point to the Rosenbergs as an example.

There are millions of Americans — Jews and non-Jews alike — who are still convinced that had not the judge been a Jew and the pressure on the whole Jewish community not been so heavy, the Rosenbergs might have been convicted but they would have never been executed. We recall a meeting a year ago at the Bernard Horwich Center when hundreds of young Jews packed the gymnasium to hear one of the sons debate Elmer Gertz. Of course, they thought it was a Jewish issue. What else could bring them out in such numbers?

Furthermore, very serious and well researched books have now been written which tend to prove that the whole thing was a giant frame-up — a product of the hysteria of the times — in which as usual, Jews were selected as the

scapegoats. It is no secret any longer that the FBI under Edgar Hoover engaged in innumerable excesses, even illegalities, and was not above maneuvering facts to suit its momentary needs.

That is a matter of public record.

Why haven't they thus far done what the federal court has long ago demanded they do as required by the Freedom of Information Act — release the whole 33,000 pages of secret material they have on the Rosenberg case. They have grudgingly made public only 300 after more than a year of prodding.

We disagree with the ADL. The vindication of the Rosenbergs would lift a great burden from the hearts of many Jews who have always been troubled by its impact. It would not be the first time in human history that Jews have been defamed. The fact that they were radicals should not deter us.

Thank the Almighty that McCarthyism is no longer debasing our country. Let's not be afraid to face the truth.

Page 9

Assistant Attorney General
James H. McInerney
Director, FBI

March 20, 1952

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
INTERNAL SECURITY - R

There is being transmitted herewith for your information a Photostat of a memorandum which was sent out on February 26, 1952, to all Anti-Defamation League Offices by Mr. Arnold Forster of the New York Headquarters of that organization in connection with the Rosenberg matter. (You will note that this memorandum by the Anti-Defamation League is for the purpose of alerting all Jewish groups against supporting any meetings or attempts to develop pro-Rosenberg sympathy among Jewish groups in their respective areas.)

cc: L. Nichols
H. Edolsberg

April 1, 1952

Mr. J. Edgar Hoover
United States Department of Justice
Federal Bureau of Investigation
Washington 25, D. C.

Dear Mr. Hoover:

There has just come to my attention your most gracious letter of March 26th, and I hurry to you my assurance that we are deeply appreciative of the fact that you, of all men, realize the importance of the work that we are trying to do. Through all of the years that I have been connected with the Anti-Defamation League I have resolutely stood my ground and fought vigorously for those American ideals to which our nation is dedicated, and in the upholding of which your own Department is doing so much. Be assured that you may call on me and on our entire organization at any time for whatever cooperation or help you believe we can give.

Now for another subject. From time to time it has been my good fortune to read some of the magazines and brochures issued by your Department. Quite some years ago, on request, I wrote an article for the American Scholar, which is the Phi Kappa Kappa magazine, entitled, "Science Admitted to the Bar", where scientific methods are used in solving problems, and especially in the field of criminal law. Now, recently, in reading some of your publications, I sense that we have made progress along those lines. So would you be good enough to pass on this request to any one of your departments having charge of the matter, and send me such further magazine articles or pamphlets as may have been issued during the last year or year-and-a-half. I will value them as an addition to my legal file.

With assurance of my high esteem, believe me,

Very sincerely,

Meier Steinbrink

P.S. I am sending you an advance copy of the current issue of our April monthly publication, which carries as its lead article, "Anti-Defamation and the Atom Spy Trial".

MRS:jhp

ANTI-DEFAMATION LEAGUE
OF B'NAI BRITH

National Director
Benjamin R. Epstein
212 Fifth Avenue
New York 10, N. Y.

April 2, 1952

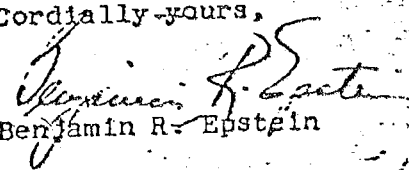
Mr. Lou Nichols
United States Department of Justice
Federal Bureau of Investigation
Washington 25, D. C.

Dear Mr. Nichols:

It was nice talking to you on the phone yesterday afternoon. Let me, once again, express my appreciation for the splendid letter that Mr. Hoover sent to Judge Steinbrink. The Judge wrote to Mr. Hoover directly. I am enclosing for your information a copy of our current monthly ABL Bulletin, which will be in the mails within the next few days, and call your attention especially to the lead article, "Anti-Semitism and the Atom Spy Trial". I am certain that, if you glance through the rest of the publication, you will find other interesting and informative material.

We have been very pleased with the excellent relationship which exists between our various staff directors and representatives of the Bureau who frequently have sought our cooperation, which is always forthcoming.

Cordially yours,


Benjamin R. Epstein

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: July 1, 1953

FROM : L. B. Nichols

SUBJECT:

of the Anti-Defamation League called and in an off-the-record manner told me a couple of things they would like to do. They would like to send letters to the President, Attorney General and the Director, denouncing Emanuel Bloch's comments pertaining to the three at the Rosenberg funeral. I told him there would be no objection to this. He felt, however, it would be improper to release the letters and wondered what my views were on this. I asked him if he had given any thought to pointing out the ADL position and fact they had expressed confidence in the leadership in their bulletin which has 350,000 circulation. He had never thought of this and thought it was an excellent idea. He then stated they wanted to in some way give recognition to Irving Kaufman; they felt if they made an award to him, it would not be in good taste since the judge is supposed to do what the facts and his conscience dictate; that furthermore, Judge Kaufman had indicated he would not receive such awards. I asked if he had given consideration to a well documented story in their bulletin on the vituperation which has been heaped on Kaufman by Communists, as well as upon the other principals in the case. He had not thought of this and thought this was the solution to the problem.

He then told me what I had already known that had been after the Jewish organizations because they had not risen up over the actions of individuals such as Bloch.

United States District Court
United States Courthouse
Foley Square, New York 7

CHAMBERS OF
JUDGE IRVING R. KAUFMAN

June 23, 1952

Dear Dr. Fineberg:

Thank you for your letter of
June 20th enclosing your statement on the
Rosenberg case.

I have been disturbed by the
completely irresponsible and baseless propaganda
put out by the Committee to Secure Justice for
the Rosenbergs. Naturally, by reason of my
position, I must remain mute even though the false
line that is being followed by those responsible
for this propaganda gives me great concern as an
American and a Jew.

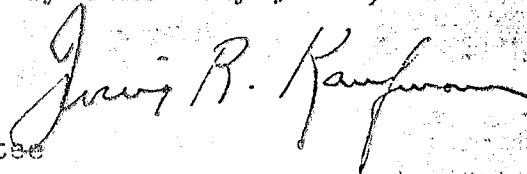
It is of course gratifying to
see that organizations such as yours and the Anti-
Defamation League recognize the propaganda for what
it is and are alerting those at whom it is aimed,
lest they become dupes.

I thought your statement was an
excellent one and I was much encouraged by it.

With kindest regards,

Very sincerely yours,

Dr. S. Andhil Fineberg
Community Service Director
The American Jewish Committee
386 Fourth Avenue
New York 16, N.Y.



August 7, 1977

The Honorable Irving E. Kaufman
United States Court of Appeals
United States Courthouse
Foley Square
New York City, New York 10037

Dear Judge Kaufman:

I will soon be entering my last year as a rabbinic student here at Hebrew Union College. One of the requirements for ordination is the completion of a rabbinic thesis in any of a wide number of areas. Thus, I am currently at work on my rabbinic thesis examining the Jewish reaction to the Rosenberg case under the supervision of Rabbi Uri Herscher here in Cincinnati.

Because of your intimacy to the case, I am sure you have been and are still bothered by many letters, be they critical of or favorable to your role in the trial. Let me thus emphasize that I am not concerned with the trial itself nor with the conviction or sentencing of the Rosenbergs. I am simply trying to understand the workings of the Jewish community during a period of possible stress. And this attempt to understand prompts my letter to you.

I plan on traveling to New York the last two weeks of August to do some research (hopefully without blackouts and bombs). I would like to spend several days at the ADL and the American Jewish Committee researching files relevant to the Rosenberg case and to that period of time. And, if you plan on being in New York and your schedule permits, I would be honored if we could meet and you could offer your insights on the Jewish community at the time.

I have two major areas of concern. I know that many Rosenberg supporters claimed that antisemitism played a major role in the trial and execution of the Rosenbergs and I wonder if you found these claims placing additional pressures on you. In response to these claims, several Jewish defense organizations (such as the ADL and the AJO) called antisemitism a false issue. In their response, I wonder if you feel the Jewish defense organizations rose to the occasion.

I do understand that you are very busy and may not be able to open up some time to meet with me. I will be back in New York later in the year (October) and perhaps your schedule might be more flexible then. If not, with the help of the U.S. Postal Service, might I ask you several specific questions by mail?

I look forward to hearing from you and thank you for your consideration.

Sincerely,

Marc E. Berason

Marc E. Berason

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT

214

CHAMBERS OF
JUDGING R. KAUFMAN
CHIEF JUDGE
U. S. COURTHOUSE
NEW YORK, N. Y. 10007

August 17, 1977

Mr. Marc E. Berkson
Hebrew Union College
3101 Clifton Avenue
Cincinnati, Ohio 45220

Dear Mr. Berkson:

It has been Judge Kaufman's policy not to comment, in any way, on the trials at which he presided. While I recognize that your research involves the reaction of the Jewish community to the Rosenberg case, it would necessarily have to concern details of the case. Accordingly, Judge Kaufman cannot be of assistance to you.

Sincerely yours,

Max Friedman

Max Friedman
Law Clerk

US
Security
Sobell

APPENDIX B-12

May 6, 1954

Dear Sol:

I took up the matter of the Sobell transfer from Alcatraz with Morris Fine and Ed Lukas. While Morris raised doubts concerning the approach you recommended, he was content to leave the decision up to Lukas and me.

I had a lengthy talk with Lukas which was resolved in agreement, for reasons which I won't go into here, that the matter be discussed with Maxwell Rabb rather than with Judge Kaufman. Nat Goodrich met with Rabb, with the results you will find noted in the enclosed copy of memorandum from Goodrich to Lukas.

It is necessary to understand Rabb's reactions in the light of current attacks by representative Droyhill under the Bureau of Prisons and its director, James V. Bennett. These attacks have included charges that John Gates, former editor of the Daily Worker, was given preferential treatment, was temporarily moved from Atlanta to Danbury, Connecticut, etc.

Because I do not think that the matter of transferring Sobell is really crucial, and certainly there are very cogent arguments on both sides, I am inclined to let it drop here. Of course we shall alert interested parties as soon as the date for the Washington visitation is made known to us.

On the other hand if you really have strong objections to this course of action, I shall take additional steps.

Warm regards.

Sincerely,

Isaiah Terman

Dr. S. Andhil Fineberg
C/o Dr. Herman Ebeling
World Brotherhood
29 Friedrichstrasse
Frankfurt Am Main

AMERICAN JEWISH COMMITTEE
FOURTH AVENUE NEW YORK 16, N. Y.

April 30, 1954
6:00 p.m.

TO: Edwin J. Lukas

FROM: Nathaniel H. Goodrich

I talked with Rabb just now. His reactions, with which I concur, are as follows:

(1) There is little point in trying to satisfy the Committee. If Sobel weren't in Alcatraz, they'd find another reason for agitating, and even if he were to be transferred they'll cook up another pretext if they want to make trouble.

(2) Even if the Committee comes down to request he be transferred to a more humane institution, the public isn't going to be moved. The public is quite unlikely to feel any particular sympathy for him, and the Committee's efforts are not likely to get much attention.

(3) If he is transferred, the Congress quite likely may call before it the official that orders it to ask why it was done. The identity of anyone who had interceded in his behalf probably would have to be revealed. Both the official ordering such a transfer and the person asking it quite likely would have a difficult time explaining their actions.

Conclusion -- it would seem to be the least of all evils in such a situation to let the Committee make its march if it wishes to. Rabb strongly advises against any intercession.

I left the Madole material with him.

NHG:mgr

Memorandum

Subject: The Rosenberg Case

January 22, 1953.

PROPOSAL: A concerted effort to convince Julius and Ethel Rosenberg, convicted atom spies now under sentence of death, that the Soviet regime they serve is persecuting and ultimately bent on exterminating the Jews under its sovereignty. The action desired of the Rosenbergs is that they appeal to Jews in all countries to get out of the communist movement and seek to destroy it. In return, death sentence would be commuted.

ADVANTAGES: The importance of success in this venture can scarcely be overstated from a psychological warfare standpoint. The Communist Parties throughout the world have built up the Rosenbergs as heroes and as martyrs to "American anti-semitism." Their recantation would entail backfiring of this entire Soviet propaganda effort. It would be virtually impossible for world communism to ignore or successfully discredit the Rosenbergs. The couple is ideally situated to serve as leading instruments of a psychological warfare campaign designed to split world communism on the Jewish issue, to create disaffected groups within the membership of the Parties, to utilize these groups for further infiltration and for intelligence work. (Whether the defection of the Rosenbergs would yield significant information concerning other Soviet espionage groups is a matter for the FBI to appraise.)

(4)

LIKELIHOOD OF SUCCESS: Apparently neither of the condemned has thus far wavered. An appraisal of the possibilities of their defection could be obtained from the FBI. The hypothesis suggested here is that the Soviet 'Doctors' accusations may have come as a great shock to them. Since they are Jews and have been placed in the role of victims to anti-semitism, it is believed that the new developments in Soviet policy vis-a-vis the Jews open new possibilities. It is also believed that people of the sort of the Rosenbergs can be swayed by duty where they can not be swayed by considerations of self-interest. They should not be asked to trade their principles for their lives -- for one thing, such an appeal to cowardice would almost certainly fail. The argument should be rather that they are about to die for a system that has betrayed and is destroying their own people, that they have the moral obligation of influencing other Jews against communism. In short, they would be offered two things psychologically: (1) an opportunity to recant while preserving their self-respect and honor; (2) a new purpose in life.

THE ETHICAL ISSUE: The purpose of the Government would be to gain a new instrument to make clear the sinister purposes of communism to its deluded followers and, incidentally, to save two lives. Certainly, neither purpose is immoral.

(3)

The means, however, necessarily involves the coercion of prisoners for no discussions can be termed free if the upshot determines whether people live or die. If this coercive element makes the whole plan repugnant to our traditions of due process, then naturally it should not be undertaken. Presumably, the Attorney General should evaluate this. If the answer is favorable, consideration must be given to the consequences of failure to sway the Rosenbergs -- the virtual certainty that the Communists will use the attempt for their propaganda. Therefore, it is proposed that the emissaries chosen be unofficial, without credentials from the Government of any sort and with no authority to commit it to any action.

SUGGESTED APPROACH: The contact could be made by rabbis, representatives of Jewish organizations, former Communists. The last group would understand the mentality of the Rosenbergs far better than the others and would share with them common experiences and attitudes. However, the Rosenbergs would probably view them, not merely as enemies, but as traitors to the movement and this consideration seems to the writer to be decisive as far as the initial stage of conversations is concerned. Perhaps the ideal emissaries would be highly intelligent rabbis, representing reformed Judaism,

(4)

with a radical background or sympathetic understanding of radicalism, and with psychiatric knowledge. Such men can be found. Here again, the viewpoint of the FBI would be of the greatest value.

(1) The emissaries do not need to be armed with a formal promise of clemency, for the Rosenbergs ^{already} understand that they can obtain commutation if they cooperate with the United States.

(2) Complete confidentiality in the discussions is imperative. The Rosenbergs may have strong doubts of the rightness of their course which they would wish to explore with sympathetic, intelligent and well-informed anti-Communists. However, since these are doubts and not certainties, they will wish to be able to die as martyrs if the doubts disappear after investigation. They would therefore fear that any talks they have with the emissaries might be used afterwards to destroy the propaganda value of their death for communism should they decide in the end upon death. Preservation of confidence as to the discussions should be pledged, subject to a similar confidence on the part of the Rosenbergs. The emissaries should be people of such unimpeachable moral stature that no suspicion of double dealing on their part could arise.

(3) Date of execution should be stayed ~~until~~ until the emissaries ascertain whether or not the Rosenbergs

(5)

are interested in entering into such protracted discussions. If they are not, the execution should proceed and the emissaries should preserve total silence.

(4) If the Rosenbergs desire to explore these matters, an execution stay of one to two months seems indicated. First, time is needed for a thorough discussion of all those phases of Soviet conduct which the condemned would have to weigh in their minds before reaching what is for them their biggest decision. This is not merely a matter of persecution of Jews, but of the basic character of the Soviet dictatorship. Second, the Rosenbergs should have time to read the most authoritative and convincing literature available on such matters as the U.S.S.R. slave labor camps. (It should be recalled that as Communist they were explicitly forbidden heretofore from either reading such books or having them in their possession.) Third, fruitful discussions can hardly be held if they occur, as it were, under the shadow of imminent execution.

(5) Should the operation succeed, generous commutation appears indicated -- both to encourage others to defect and to utilize the Rosenbergs as figures in an effective international psychological warfare campaign against communism primarily on the Jewish issue.

RABBIS OF JERUSALEM CALL FOR CLEMENCY FOR THE ROSENBERGS

TEXT OF SIGNED PETITION SENT BY RABBIS
OF STATE OF ISRAEL TO PRESIDENT TRUMAN

MR. PRESIDENT

WE THE UNDERSIGNED RABBIS AND RELIGIOUS LEADERS OF THE HOLY LAND TAKE THE LIBERTY OF ADDRESSING YOUR EXCELLENCY PLEADING WITH YOU TO EXERT THE POWER OF CLEMENCY GIVEN YOU IN THE TRAGIC CASE OF JULIUS AND ETHEL ROSENBERG STOP WE DARE NOT ENTER INTO THE DETAILS OF TH TRIAL WHICH ENDED IN A JUDGMENT OF GUILT AND DEATH-SENTENCE THOUGH IT IS DIFFICULT FOR US TO IMAGINE THAT JEWS ANYWHERE IN THE WORLD PARTICULARLY IN A LAND AS RICH IN MERIT AS THE UNITED STATES OF AMERICA WOULD ACT AGAINST THE INTERESTS OF THEIR COUNTRY STOP AT LEAST WE KNOW OF NO SUCH HAPPENING IN THE LONG HISTORY OF THE JEWISH PEOPLE STOP

ALSO WE KNOW OF NO PRECEDENT IN WHICH ANY PERSON WAS CONDEMNED TO DEATH IN A DEMOCRATIC COUNTRY ON A SIMILAR ACCUSATION IN PEACE-TIME STOP WHATEVER THE PARTICULARS WE APPEAL TO YOU MR PRESIDENT IN THE NAME OF GOD AND THE QUALITY OF MERCY TO SAVE THE LIVES OF THE COUPLE WHO ARE PARENTS OF TWO LITTLE CHILDREN STOP

EVEN IF WE ASSUME THAT THEY HAD SINNED AGAINST THE LAWS OF THE UNITED STATES THEY SHALL NO LONGER BE ABLE TO DO SO IF KEPT UNDER SURVEILLANCE BUT SOME DAY THEY WOULD BE ABLE TO PROVE THEIR INNOCENCE STOP IN SUCH CASE YOUR CONSCIENCE AND THE CONSCIENCE OF THE UNITED STATES WOULD BE CLEAN NO INNOCENT LIFE SHALL HAVE BEEN TAKEN GUILTLESSLY STOP

LET YOUR EXCELLENCY CALL TO MIND THE MILLIONS OF GUILTLESS JEWS WHO LOST THEIR LIVES AT THE HANDS OF THE NAZIS DURING THE SECOND WORLD WAR AND THE CLEMENCY THAT WAS EXTENDED TO THE PERPETRATORS OF THOSE MURDEROUS AND CRUEL ACTS OF MONSTROSITY STOP WE HONESTLY BELIEVE THAT AN ACT OF CLEMENCY IN THIS CASE IS EXCEEDINGLY VITAL AND YOUR NAME AS CHIEF EXECUTIVE OF AN HONORABLE PORTION OF MANKIND YOUR DEEP RELIGIOUS FEELING AND YOUR AWARENESS OF THE SPIRIT OF GOOD WITHIN YOU LEADS US TO LAY BEFORE YOU THIS OUR HUMBLE PETITION IN FULL HOPE THAT YOU WILL GRANT IT STOP

GOD ALONE KNOWS THE WHOLE TRUTH STOP MAY THIS YOUR CLEMENCY BE A FITTING CROWN TO YOUR GREAT CAREER STOP

SIGNED

GERSHON LAPIDOTH RUBEN MENGIS ELIJA MORDECAI WALKOVSKY
JACOB KLIMAS ISSER ZALMAN MELZER ZALMAN SOROTZKIN YEHIEL
YEHIEL SHLAGER EPHRAIM BLUM ISRAEL WAIZ SHLOMO ZALMAN ZEVIN
DAVID SPARBER JOSEPH ADLER AKIBA SOPFER RABBI WEIDENFELD
ABRAHAM KARELITZ JEHOASHUA WEINRECH ISRAEL WELZ HAIM JOEL DUHANT
JACOB TAVITZKY MICHAL TIKUTZINSKY

Mail this leaflet

President Truman

White House

Washington, D. C.

I add my name to this message respectfully requesting clemency for Ethel
and Julius Rosenberg.

Name _____

NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
1050 Avenue of the Americas, New York 18, N. Y. BRyant 9-9694

CONFIDENTIALSee: AJC/Polls
also

5/4/51

To : Dr. John Slawson

From: Samuel H. Flowerman

Re : Poll Rider Questions on Julius and Ethel Rosenberg, and
Criticism of Jews.

We have just received over the telephone from NORC the first returns on our two rider questions which were put into the field a few weeks ago. The questions were scattered in a nationwide poll on another subject using a sample almost identical in size with our November poll (1289 individuals of whom 1058 were White Christians).

We used the following two questions to determine any trends in criticism ("talk about") against Jews as well as to tap awareness of the conviction and death sentence of Julius and Ethel Rosenberg. A detailed analysis of these questions must await further study. But for your immediate use the following preliminary returns are given:

Question 30: "Have you heard any criticism or talk against the Jews in the last six months? (If Yes) What?"

(Total White Christians)

Nov. 1950April, 1951

Heard criticism

24%

16%

Have not heard criticism

76%

84%

There is a drop of 8% in the proportion of those who say they have heard criticism or talk against Jews in the last six months. The change seems to be due almost entirely to a decrease in "yes" answers on the part of our Protestant respondents; Catholics remained substantially the same.

The probe question on type of criticism against Jews showed the following changes in the "communist" and "spy" labels for total White Christian samples in both polls.

Nov. 1950April, 1951

Spies

.6% (7 indiv.)

1.9% (20 indiv.)

Communists

1.1 (13 indiv.)

.9 (10 indiv.)

In short, there is an increase in the spy stereotype of 1.3% from November, 1950 to April, 1951. The magnitude of the spy stereotype for the present sample is less than 2% of the total White Christians even with this increase.

The Communist stereotype remained substantially unchanged.

Question 13: "As far as you know, has anybody in the United States been accused of atomic spying?"

	<u>Nov. 1950</u>	<u>April, 1951</u>
Yes	59%	67%
No, don't know	41	33

Since November, 1950, during which time the Rosenbergs were convicted and given death sentences, there has been an increase of 8% in awareness that some people in this country have been accused of atomic spying.

Names of spies were given in response to the follow-up question: "(If Yes) Do you happen to remember the names of any of the persons accused? What were their names?"

Only the most notorious names are listed here, pending further analysis.

<u>Named or described</u>	<u>Nov. 1950</u>	<u>April, 1951</u>
Harry Gold	9%	9%
Ethel Rosenberg	less than 1%	30
Julius Rosenberg and/or Rosenberg	less than 2%	36
Sobel	less than 1%	2
Greenglass	2	17
No name but described as Jewish	1	2
Other Jewish names: not identified	1	2

It is obvious that the publicity attendant upon the trial of the Rosenbergs raised public awareness of them considerably since November, 1950, after they had been arrested, to April, 1951, after they had been convicted. Knowledge of David Greenglass, star government witness against the Rosenbergs, also increased considerably. Knowledge of Harry Gold remained the same.

In summary, reports of talk or criticism against Jews has decreased. There has been no change in the stereotype of the Jew as Communist. There has been an increase in the stereotype of the Jew as a spy from less than 1% to almost 2% --- but the magnitude is still small.

Specific names of Jewish atom spies are better known, no doubt as a result of the public trial, conviction and death sentencing of Ethel and Julius Rosenberg.

SHF/ss
5/4/51
Dept. of Scientific Research

MEMORANDUM

THE AMERICAN JEWISH COMMITTEE
INSTITUTE OF HUMAN RELATIONS
165 East 56th Street, New York 22, N. Y. • Plaza 1-4000

from the desk of ISAIAH TERMAN
Director of Communications and Servicing

June 27, 1961

TO: Area Directors and Executive Assistants
FROM: Isaiah Terman
SUBJECT: The Morton Sobell Case

You may already be aware of a move to request that President Kennedy grant a pardon to Morton Sobell, now serving a sentence of 30 years for espionage. The Board of Rabbis of an eastern community was asked to petition the President in behalf of Sobell. It's executive director turned to Dr. S. Andhil Fineberg with these questions: "Has the American Jewish Committee taken a position on this case? Can you give me any information that will help us to arrive at a decision?"

Dr. Fineberg's response (copy attached) may be useful should the matter arise in your communities.

Encl.
la-d

C
O
P
Y

June 26, 1961

Dear _____,

...The American Jewish Committee took very strong public positions in reference to the "Committee to Secure Justice in the Rosenberg Case." We succeeded in getting the other Jewish community relations organizations to do likewise. That was because the Rosenberg Committee was controlled by Communists and manipulated solely for the benefit of the Communists, not the Rosenbergs, and (which is most important) one of its chief arguments was that the government of the U.S. was persecuting the Rosenbergs for anti-Semitic reasons and that if Jews did not support the Rosenberg Committee we would all be on our way to Auschwitz. That is not exaggeration of their line. I can submit samples. They were on the point of getting outstanding non-Jews who cannot bear the idea of anyone's being the victim of anti-Semitism to endorse and support the Rosenberg Committee's activities, all of which was slanted as vicious propaganda against American courts as unjust and hysteria-minded. We had to act; we did, issued public statements, and were so successful that no reputable Jewish organization, not even one congregation, fraternity, lodge or the like gave any encouragement or assistance to the Rosenberg Committee, except, of course, the Emma Lazarus League, the Jewish Peoples' Fraternal Order and other Communist controlled organizations.

The Sobell Committee is run by some of the people who ran the Rosenberg Committee. Their motives include helping Sobell's family financially, maintaining their group interest and having a cause which enables these leftists to approach anyone they wish.

Rabbis, ministers and other sensitive people find it difficult though not impossible to refuse to ask clemency for anyone who seeks it. And yet, only a few dozen rabbis have signed up in answer to the several requests sent to a thousand rabbis by the Sobell Committee during its five years of operation. It is even harder for organizations of clergymen to resist dubious appeals for moral support than for individuals.

I call this one dubious because Mrs. Sobell was invited to testify before the grand jury before her husband was indicted. She refused. He had the usual opportunity to take the stand and speak on his own behalf. He did not. Some things, such as Sobell's use of four aliases while fleeing the United States after the Rosenbergs were indicted have never been satisfactorily explained. But such matters as these are, of course, never mentioned in the Sobell Committee's ample propaganda.

Anyone hearing a criminal case as described by the defense without knowledge of the prosecution's case, naturally concludes that the accused must be innocent. If the COAR, which adopted a

- 2 -

weasel worded resolution, which the Sobell Committee will not quote but to which it will refer to great advantage, implying that it says far more on his behalf than it does, -- I say, that if the CCAR and other rabbinical bodies must go into the business of asking for retrials and presidential pardons for people now in prison, they ought not to limit their efforts to a man for whom more money has been spent, more campaigning done, and more legal measures employed than is the good fortune of more than one prisoner in ten thousand. Isn't this rather unkind to the others? What does it imply about the worthiness of hundreds of prisoners who insist that they are innocent but do not have the organization behind them (or money) to conduct such a public campaign? Are the rabbis sure that Sobell is the most deserving?

The silence of the AJC and of all the other Jewish community relations organizations should indicate where we and they stand. AJC is not telling others what to do in this because an organization such as ours has no issue here. If the Sobell committee stressed the fact that Sobell is Jewish or alleged anti-Semitism or the like it would be different. By not endorsing the Sobell Committee's petition we say all we need to say. On the other hand, as a rabbi, I wrote to the President of the CCAR, with whom I had discussed this Sobell resolution at length in Milwaukee, and raised the question whether it is proper when individual rabbis have been urged to take a certain stand and only a few are willing, for the rabbinical body to which they belong to take action without prior notice and make it appear that they all favor something to which some of them are violently opposed. This led to a lengthy discussion at the next meeting of the CCAR Executive Committee and a revision of the process for presenting and passing on resolutions. It just does not add up in my book that with only one side of an issue known to a group of rabbis, such a matter as asking clemency for Sobell should be brought up for endorsement by the group. I was not at the CCAR meeting when the Sobell resolution was passed. I would have opposed it.

Sincerely yours,

S. Andhil Fineberg

APPENDIX B-17

ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
315 LEXINGTON AVENUE, NEW YORK, N.Y. 10016, TEL. 689-7400

UNOFFICIAL

October 1, 1976

Mr. Edward J. Ennis
Board of Directors
ACLU
22 East 40th Street
New York, New York

Dear Ed:

Having learned of Vern Countryman's proposal to the ACLU I am, as one who has long worked with and admired the work of the ACLU, attaching a memorandum of law. May I add these comments:

The proposal seeks to examine the conduct of Judge Kaufman who presided at the Rosenberg trial. I believe I can say without contradiction that no trial in the history of our nation has received such extensive review, both by the appellate courts, which went over the entire transcript, and by collateral judicial action.

Thus, the careful review and decision of Judge Edward Weinfeld, one of the most respected jurists in our nation, dealt exhaustively with that trial. In addition, there has been successful utilization of The Freedom of Information Act procedures and of many investigations dealing with private "leads" in connection with the circumstances surrounding that trial.

With all that information obtained, both on the basis of the actual record and on the basis of these collateral investigations, this case has been thoroughly aired.

Now, I find that it is proposed to make an additional official investigation into the conduct of Judge Kaufman, himself. As a member of the Bar, I am offended at the tenuous base for such investigation. However, I am far more concerned with another aspect of such an investigation, which I must call to your attention.

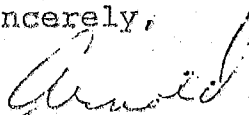
Mr. Edward J. Ennis
October 1, 1976
Page 2

During the period of the McCarthy investigations, all of us were sensitized to the vice of exposure that had within its purpose a predetermined conclusion. We understood, deplored and opposed the actions of legislative committees whose purpose was not legislative. We witnessed at that time a wholesale destruction of the reputations of good men. And we learned that we must never permit this to happen again.

If the ACLU, at this late date, is to disinter the Rosenberg case and lay before the American people the very elements that caused us so much heartache at the time, the action could only be justified if at the end of the road more would be known by the American people than is now already known about the case. The nature of the "facts" proffered in the Countryman letter indicates the unlikelihood of achieving any constructive result.

What is clear is that, having failed to show that the finding of guilt on the part of the two defendants was improper, an attack is now to be made upon the integrity and character of a sitting judge for his conduct in a trial that took place a generation ago. Were this investigation to be approved, I can see a McCarthyism style miscarriage of justice. The ACLU should be the last group in our nation to allow itself to become the medium for permitting this to happen.

Sincerely,



Arnold Forster

AF:rf
enclosure

September 30, 1976

Memorandum to Members of the Board of the American Civil
Liberties Union:

The Purpose of this memorandum is to urge that the ACLU not recommend an investigation by the Senate Judiciary Committee into the conduct of Judge Irving Kaufman in connection with the trial of Julius and Ethel Rosenberg and Morton Sobell.

First. To request the Senate Judiciary Committee to investigate the conduct of a federal judge invites erosion of the principle of separation of powers. The Constitution provides for congressional inquiry in only one circumstance, where grounds for impeachment are alleged; but the initial "probable cause" inquiry is committed to the House of Representatives, not the Senate. In the present case there is no suggestion of "Treason, Bribery, or other high Crimes and Misdemeanors." The Senate Judiciary Committee has no jurisdiction over these allegations.

Second. There is no allegation that the trial was unfair or that the sentences were not authorized. In fact, no trial in American history has been so extensively reviewed in direct and collateral proceedings; and no flaw has been found. The allegations are of four kinds:

a. On triple hearsay it is alleged that Judge Kaufman was predisposed to the death penalty for the Rosenbergs, "if he doesn't change his mind." Even if true, no impropriety is alleged in the judge having a tentative opinion.

b. It is alleged that Judge Kaufman expressed concern about delays in decision by the Supreme Court while the case was before the Court for initial review and on petition for rehearing. Even if true, that is neither surprising nor an indication of gross impropriety.

c. It is alleged that Judge Kaufman expressed concern that the verdict might be overturned during subsequent reviews of the Sobell conviction. Even if true, it is not unusual for a judge to believe in the soundness of his conduct of the trial being reviewed. There is no allegation that he tried to influence the review in any improper way.

d. It is alleged that Judge Kaufman continued to express concern about articles, books, and plays which he believed distorted the facts, long after all judicial review was concluded. Again his concern is natural. There is no allegation of action inconsistent with free expression of opinion. If he urged that a prospective author be advised about the probably unreliability of a potential source, that is scarcely a muzzling of the press.

Third. No good could come from a public investigation of the kind urged. Questions of judicial propriety

are subtle, complex, and ill-suited to public ventilation.

Even for those of us who oppose capital punishment altogether, this is not an appropriate case in which to re-examine that question. The death penalty was authorized at the time; its constitutionality was not seriously challenged; and carefully prepared appeals for presidential clemency were rejected.

In my judgment it would be mischievous for the ACLU to support a request for an investigation more likely to inflame public passion than to provide new insight into a tragic chapter of American history.

FOOTNOTES

INTRODUCTION: THE JEWISH SETTING

1. Alvin H. Goldstein, The Unquiet Death of Julius and Ethel Rosenberg, unnumbered script of film.
2. B. Kleiman, "Jewish Reaction to the Ethel and Julius Rosenberg Case, pp. 9-10.
3. Goldstein
4. Aaron Antonovsky, "Identity, Anxiety, and the Jew," in Maurice Stein, Arthur Vidich, and David Manning White, Identity and Anxiety: Survival of the Person in Mass Society, p. 429.
5. Joel Rosenberg, "We Are All Your Sons: Ethel and Julius Rosenberg Revisited and Revisiting--A Review Essay," Response, Fall 1975, p. 29.

CHAPTER I: AN INFORMATIONAL AND BIBLIOGRAPHICAL REVIEW

1. Walter and Miriam Schneir, Invitation to an Inquest: Reopening the Rosenberg "Atom Spy" Case, p. 68, from the New York Post, February 2, 1950, p. 2.
2. July 17, 1950, Department of Justice press release filed with some appeal papers at the U. S. District Court for the Southern District of New York at Foley Square, quoted in Schneir, p. 80.
3. Michael E. Parrish, "Cold War Justice: The Supreme Court and the Rosenbergs," The American Historical Review, 82 (October 1977), 808.
4. Supreme Court of the United States, Transcript of Record: Julius Rosenberg and Ethel Rosenberg, Petitioners, vs. the United States of America, p. 1615.
5. Schneir, p. xviii.
6. Louis Nizer, The Implosion Conspiracy, p. 6.
7. Nizer, p. 493.
8. The New York Times, June 19, 1977, National Committee to Reopen the Rosenberg case advertisement.
9. June 23, 1952, letter from Judge Irving Kaufman to Dr. S. Andhil Fineberg (American Jewish Archives, AJA).

10. June 28, 1977, letter from Jerome Bakst to Marc Berkson.
11. September 15, 1977, letter from Milton Himmelfarb to Marc Berkson.

CHAPTER II: THE JEWISH RIGHT

1. November 23, 1934, letter from Benjamin Schultz to Abraham Cronbach (AJA).
2. June 13, 1947, letter from Benjamin Schultz to Abraham Cronbach (AJA).
3. October 1947 statement of the New York Board of Rabbis in the Cronbach files of the AJA.
4. American Jewish Committee (AJC) William Wiener Oral History Library oral history transcript of S. Andhil Fineberg.
5. Fineberg statement in his papers at the AJA.
6. For an account of the formation of the AJLAC, see The New York Times, June 15, 1948, p. 7, or Fern Marja, Marcy Elias, Irving Lieberman, and Bennett Schiff, "The Strange Case of Rabbi Schultz," The New York Post, December 6-10, 1954.
7. Murray Polner, Rabbi: The American Experience, p. 111.
8. New York Post, December 6, 1954, p. 4.
9. October 10, 1977, letter from Benjamin Schultz to Marc Berkson (emphasis by Schultz).
10. August 30, 1977, letter from Roy Cohn to Marc Berkson.
11. October 10, 1977, letter from Benjamin Schultz to Marc Berkson.
12. Rosenblum quoted in the AJLAC's bulletin, Jews Against Communism, 7 (Spring 1954) 2.
13. The National Jewish Post, June 19, 1953, p. 3.
14. October 28, 1952, letter from Benjamin Schultz to Abraham Cronbach (AJA).
15. New York Post, December 6, 1954, p. 4.
16. Confidential memo dated June 1952 and revised October 1954 found in Dr. Fineberg's papers at the AJA. Fineberg noted the initials EL on the memo to indicate authorship. Fineberg did not write the memo.

CHAPTER III: THE JEWISH LEFT

1. New York Times, June 21, 1953, p. 11.
2. Nizer, pp. 15-16, 22.
3. Both Nizer and Jonathan Root. Thomas Mooney was an American labor leader convicted as a participant in a 1916 labor struggle in San Francisco which resulted in killings. Many believed in his innocence, his sentence was commuted to life imprisonment, and he was pardoned in 1939.
4. Michael and Robert Meeropol, We Are Your Sons: The Legacy of Ethel and Julius Rosenberg, p. 76. The Scottsboro case involved 9 black youths accused and convicted of raping 2 white girls in Alabama in 1931. Sentenced to death or long prison terms, the United States Supreme Court reversed the convictions on legal grounds and one of the white girls admitted to perjury. A new trial was ordered and charges against 5 of the youths were dropped. The others have been freed over the years. Many believed the verdict was a result of black hatred in the South and the plight of the 9 caused national concern.
5. Quoted in Nizer, p. 209.
6. Robert Warshow, "The 'Idealism' of Julius and Ethel Rosenberg: 'The Kind of People We Are'," Commentary, 16 (November 1953), 413-418.
7. S. Andhil Fineberg, "They Screamed for Justice," American Legion Magazine, July 1953, p. 44.
8. Fineberg, The Rosenberg Case: Fact and Fiction, p. 69.
9. Jonah Raskin, Out of the Whale: Growing Up in the American Left, pp. 17-18.
10. Joel Rosenberg, p. 18.
11. Lucy Dawidowicz, "'Anti-Semitism' and the Rosenbergs: The Latest Communist Propaganda Trap," Commentary, 14 (July 1952), 42.
12. Quoted in Schneir, p. 176.
13. Dawidowicz, "'Anti-Semitism'," p. 42.
14. Jonathan Root, The Betrayers, p. 233.
15. Brainin, a journalist who eventually chaired the NCSJRC, was married to Dr. David Neumark's daughter. Neumark had been a professor at Hebrew Union College and some people guessed that this was how connection was later made to Abraham Cronbach.

16. Dawidowicz, "'Anti-Semitism'," p. 42.
17. Quoted in Howard Kaplansky, "The Question of Anti-Semitism in the Rosenberg Case," p. 3.
18. Quoted in Kaplansky, pp. 4-5. Judge Kaufman himself gave some credence to these thoughts in an interview after sentencing with Louis Schaefer of the Jewish Daily Forward. Schaefer thanked Kaufman (and Saypol) for showing the world that while the Rosenbergs shamed the Jews, there were other Jews of whom all could be proud. Kaufman reportedly responded, "That affords me great pleasure. I was especially pleased when I read the same thought expressed in an editorial in last Saturday's Journal-American." This incident is reported in Jewish Life, January 1952, p. 25.
19. In an interview many years later with Roy Cohn of the prosecution and Gloria Agrin of the defense, Ted Morgan found them agreeing on one point--that a Jewish juror could go either way (Morgan, "The Rosenberg Jury," Esquire, May 1975, p. 138). Neither side made a conscious attempt to keep Jews off the jury.
20. Quoted in John Wexley, The Judgement of Julius and Ethel Rosenberg, p. 242.
21. This is not to be confused with the American Civil Liberties Union (ACLU).
22. Quoted in Dawidowicz, "'Anti-Semitism'," p. 43.
23. Los Angeles Committee to Secure Justice in the Rosenberg Case, The Rosenbergs--Their Story.
24. Meeropol, We Are Your Sons, pp. 183-184.
25. April 17, 1952, letter from Joseph Brainin to rabbis (AJA).
26. Judge Kaufman had said that in coming to a decision in this case he had sought guidance through prayer at his synagogue.
27. New York Post, June 19, 1952, p. 22.
28. Dawidowicz, "'Anti-Semitism'," p. 41.
29. Undated letter from Abraham Cronbach to Max Lerner (AJA).
30. Wherein the leadership of the American Communist Party was indicted on charges that they "unlawfully, willingly, and knowingly did conspire with each other . . . to organize as the Communist Part of the United States of America a society, group, and assembly of persons who teach and advocate the overthrow and destruction of the Government of the United States by force and violence." (Don Whitehead, The FBI Story: A Report to the People, p. 295). The trial occurred in 1948 and 1949

and Herbert Philbrick of FBI fame came out into the open.
Appeals were taking place during the time of the Rosenberg case.

31. Schappes interview.
32. Schappes interview.
33. Committee on Un-American Activities, United States House of Representatives (HUAC), Trial by Treason, p. 93.
34. Schappes interview.
35. HUAC, Trial by Treason, p. 93.
36. Louis Harap, "Anti-Semitism and the Rosenbergs," Jewish Life, 6 (January 1952), 25.
37. Harap, "Anti-Semitism," p. 25.
38. Harap, "Anti-Semitism," p. 26.
39. Harap, "A Case of Blackmail," Jewish Life, 6 (July 1952), 25.
40. Eight defendants were eventually executed.
41. Schappes interview.
42. September 8, 1977, letter from Rabbi Isidor Hoffman to Marc Berkson.
43. Phone interview with Ralph Melnick of the JPF executive committee.
44. Schappes interview.
45. May 24, 1952, letter from David Alman to Abraham Cronbach.
46. As suggested by Bruce Cohen, "The Relationship of Abraham Cronbach to the Rosenberg Case," in his chapter entitled "Why and How Abraham Cronbach Involved Himself in the Rosenberg Case."
47. August 28, 1953, letter from Abraham Cronbach to Rabbi Albert Goldman (emphasis by Cronbach), answering questions posed by Goldman (AJA). The government had offered to save the Rosenbergs' lives if they talked. This offer is examined further in Chapter V.
48. August 28, 1953, letter from Cronbach to Goldman.
49. December 21, 1952, letter from Cronbach to Judge Kaufman (AJA).
50. July 8, 1953, letter from Cronbach to Rabbi Silver (AJA).
51. As indicated in a June 25, 1953, letter from Cronbach to Wither-
spoon Dodge (AJA).

52. May 7, 1963, letter from Cronbach to Aubrey Williams (AJA).

CHAPTER IV: THE JEWISH CENTER

1. Naomi Cohen, "American Jewish Committee," Encyclopedia Judaica, II, 822. For a full history of the AJC, see Naomi Cohen, Not Free to Desist: The American Jewish Committee 1906-1966.
2. Fineberg, Overcoming Anti-Semitism, pp. 166-167.
3. "Shah" is Yiddish for hush or quiet. For a detailed left criticism see Louis Harap, "Slander, Fiction and Fact," Jewish Life, 8 (July 1954) 22-25.
4. February 1973 summary on Communism by Fineberg deposited at the AJA.
5. Quoted in Cohen, p. 346.
6. August 8, 1950, AJC memo (AJA).
7. Cohen, p. 348.
8. Quoted in Cohen, p. 350 (emphasis by Slawson).
9. AJC Wiener Oral History Library oral history transcript of Fineberg.
10. October 6, 1950, memo from Fineberg to Slawson.
11. Blaustein was then also president of the American Oil Company.
12. April 11, 1951, letter from Bloch to Blaustein (AJC).
13. April 13, 1951, letter from Lilienthal to Blaustein (AJC).
14. April 19, 1951, memo from Bernheim to Slawson and April 24, 1951, memo from Lukas to Slawson (AJC).
15. April 19, 1951, memo from Fineberg to Slawson (AJC).
16. May 1, 1951, letter from Blaustein to Bloch (AJC).
17. In the April 3, 1951, edition.
18. February 28, 1952, letter from Fineberg to Will Katz (AJC).
19. Fineberg, "The Defense of Ethel and Julius Rosenberg: A Communist Attempt to Inject the Jewish Issue," p. 13.
20. March 24, 1952, letter from Fineberg to chapter heads (AJC).
21. Fineberg, The Rosenberg Case: Fact and Fiction, p. 44.

22. April 21, 1952, report on meeting of the Los Angeles Committee to Secure Justice in the Rosenberg Case by Frederick Schreiber, p. 3.
23. April 21, 1952, report on meeting of the LACSJRC by Schreiber, p. 7.
24. April 28, 1952, Planning Committee minutes (AJA).
25. May 2, 1952, ACLU memo from Levy to Whom it May Concern.
26. Fineberg, "The Communists Find a New Opening," June 5, 1952.
27. Fineberg, "The Communists Find a New Opening," June 5, 1952, pp. 4-5.
28. Fineberg, "The Communists Find a New Opening," June 5, 1952, p. 7. In his December 3, 1952, letter to Emanuel Bloch, Julius Rosenberg called Fineberg a paid bureaucrat of the AJC and called his article a diatribe not based on fact. (Quoted in Meeropol, We Are Your Sons, p. 185).
29. June 20, 1952, letter from Aaronsohn to Fineberg (AJA).
30. Dawidowicz, "'Anti-Semitism'," p. 41.
31. November 21, 1952, confidential memo from Fineberg to all members of the Committee on Communism (AJA).
32. December 9, 1952, memo from Fineberg to Slawson (AJC).
33. Fineberg, The Rosenberg Case, p. 57.
34. AJC Wiener Oral History Library oral history transcript of Fineberg.
35. Printed, respectively, on January 1, 1953, and on January 13, 1953.
36. On January 21, 1953.
37. June 25, 1953, memo from Greenberg to Slawson (AJC).
38. Quoted in HUAC, Trial by Treason, p. 96.
39. Reported in February 28, 1952, ADL memo quoted in Trial by Treason, p. 95, and in Jewish Life, July 1952. Two other reported attempts at cancellation or denial of facilities occurred--one in Cleveland and one in Brooklyn. The Cleveland episode, reported in Jewish Life, May 1952, was a cancellation attempt by the Jewish Community Center and the Brooklyn episode was a denial of facilities engineered by the Brooklyn Jewish Community Center as reported by Kleiman from the Brooklyn Eagle, January 13, 1952, and the Brooklyn Compass, January 17, 1952.

40. Los Angeles B'nai B'rith Messenger, April 25, 1952.
41. Oliver Pilat, "Anti-Semitism and the Atom Spy Trial," The ADL Bulletin, 9 (March 1952), 7. Julius Rosenberg, on the other hand, called Pilat "Oliver 'Pontius' Pilat." (Quoted in Meeropol, We Are Your Sons, p. 184).
42. Pilat, "Anti-Semitism and the Atom Spy Trial," p. 8.
43. See stories in the New York World-Telegram, April 19, 1952.
44. Arnold Forster and Benjamin Epstein, The Troublemakers, p. 226.
45. August 8, 1977, letter from Dr. Samuel Teitelbaum to Marc Berkson. See also Dr. Teitelbaum's letter to the editor in the April 15, 1977, issue of the National Jewish Post and Opinion.
46. The NCRAC lost two organizations, the AJC and the ADL, when the McIver Report came out in 1952 calling for an enlargement of the NCRAC's authority. Both the ADL and the AJC rejoined in the mid-sixties and the NCRAC continues today as the National Jewish Community Relations Advisory Council.
47. November 26, 1952, memo from Jules Cohen to NCRAC membership (HUC-JIR).
48. January 4, 1953, letter from Moss to Kaufman (AJC).
49. Quoted in November 26, 1952, memo from Jules Cohen to NCRAC membership.
50. August 3, 1977, letter from Vorspan to Marc Berkson.
51. Los Angeles B'nai B'rith Messenger, April 25, 1952.
52. April 21, 1952, report on meeting of the LACSJRC by Schreiber.
53. Chicago Sentinel, February 3, 1952, quoted in Donald Tam, "The Rosenberg Case in the Establishment Anglo-Jewish Press: Mirror of the American Jewish Community Reaction," p. 2. Interestingly, only two Anglo-Jewish weeklies have been following and favorable to the current Meeropol attempt to reopen the case. One of those two papers is the Chicago Sentinel.
54. John Wexley, The Judgement of Julius and Ethel Rosenberg, pp. 613-614, quoted in Jeffrey M. Marker, "The Jewish Community and the Case of Julius and Ethel Rosenberg," The Maryland Historian, Fall 1972, p. 110.
55. Schappes interview.
56. Milton Lehman, "The Rosenberg Case: Judge Kaufman's Two Terrible Years," The Saturday Evening Post, 226 (August 8, 1953), 87.

57. The list of those dead who are remembered on that date.
58. June 28, 1977, letter from Bakst to Marc Berkson.
59. New York Times, March 11, 1953, p. 16, and March 12, 1953, p. 23.
60. Jeffrey Marker, "The Case Against the Jews," Dayka, 4 (Winter 1974), 17.
61. Fineberg interview.
62. Morris Fine, ed. American Jewish Yearbook, 55 (1954), 183, 190-191, 228, 258.
63. American Jewish Yearbook, 55 (1954), 190-191.
64. Fineberg, "They Screamed for Justice," p. 22.
65. Fineberg, "They Screamed for Justice," p. 44.
66. Fineberg, "They Screamed for Justice," p. 46.
67. Fineberg, "They Screamed for Justice," p. 47.
68. The volume, Death House Letters of Ethel and Julius Rosenberg, (New York: Jero Publishing Company), appeared in June of 1953 immediately following the executions. The proceeds of the book were to go to a children's fund for Michael and Robert Rosenberg.
69. Warshow, "The Idealism of Julius and Ethel Rosenberg," p. 413. By way of my own introduction, let me add that Warshow had earlier written about the Rosenbergs in a review of Arthur Miller's The Crucible in Commentary, March 1953. Warshow had written, "Since the Rosenbergs had abstained entirely from all political activity of any sort for a number of years before their arrest, it follows that the only thing they could have been doing which a Communist might interpret as 'fighting for peace' must have been spying for the Soviet Union; but their being 'persecuted' rests precisely on the claim that they are innocent of spying." (Warshow, "The Liberal Conscience in The Crucible," Commentary, 15 (March 1953), 271.)
70. Warshow, "The Idealism of Julius and Ethel Rosenberg," p. 418.
71. Prepared on August 19, 1953, by Isaiah Terman, Supervisor of Field Staff for the AJC's Community Affairs Department and an AJC Community Relations Consultant.
72. Emily Alman was the wife of David Alman, a founder of the NCSJRC.
73. September 17, 1953, letter from Cootes to Fineberg (AJC).
74. Fineberg, The Rosenberg Case, p. 13.
75. Fineberg, The Rosenberg Case, p. 58.

76. Fineberg, The Rosenberg Case, p. 96.
77. AJC, Report of Annual Meeting, 47 (1954), 40, quoted in Marker, "The Jewish Community and the Case of Julius and Ethel Rosenberg," p. 118.
78. Noted in the Fineberg papers at the AJA.
79. November 25, 1953, letter from Philbrick to Fineberg (AJC).
80. November 18, 1953, letter from Poling to Fineberg (AJA).
81. December 9, 1953, memo from Esther Schulman to Fineberg (AJA).
82. February 2, 1954, memo from Leo J. Margolin, AJC Public Relations Director, to Slawson and February 3, 1954, memo from Fineberg to Slawson (AJA).
83. February 1, 1954, letter from Humphrey to Fineberg after Fineberg had mailed Humphrey a copy of the book (AJC).
84. December 18, 1953, memo from Harry Fleischman to Fineberg. The review called Ethel and Julius Rosenberg "wretched creatures of Bolshevism," and then said that Fineberg was "interested in probing into the sanctimonious hypocrisy, nauseating falsehood and callous cynicism with which international communism has attempted to exploit the case." (AJC).
85. By an H. Soref either in December 1953 or in January 1954 (AJC).
86. Undated letter from Fineberg to Arthur Goldsmith (AJA).
87. January 26, 1954, letter from Fink to Fineberg (AJC).
88. October 26, 1953, memo from Fine to Slawson (AJC).
89. November 16, 1953, memo from Cohen to Slawson (AJC).
90. December 1953 letter from Ehrmann to Fineberg (AJC).
91. Harap, "Slander, Fiction and Fact," p. 22.
92. Harap, "Slander, Fiction and Fact," p. 23.
93. Harap, "Slander, Fiction and Fact," p. 25.
94. Harap, "Slander, Fiction and Fact," p. 22.
95. Fineberg-Hodge correspondence of November 11, November 18, and November 19, 1953 (AJA). Senator Lehman was an honorary vice-president of the AJC.
96. December 9, 1953, letter from Newman to AJC Area Directors (AJA). Interestingly enough, Newman also worked for Oceana, the company

which published Fineberg's book (Fineberg interview).

97. December 9, 1953.
98. December 23, 1953, letter from Fineberg to Lester Waldman of the ADL (AJC).
99. December 1953 speech from the Fineberg papers at the AJA.
100. January 20, 1954, letter from Fineberg to Arnold Forster and Joseph Rosner of the ADL.
101. December 28, 1953, letter acknowledging receipt from the Cardinal's secretary (AJC).
102. January 12, 1954, letter from Fineberg to Sokolsky (AJA).
103. February 4, 1954, letter from Fineberg to Chief Rabbi Robert Dreyfus.
104. AJC Wiener Oral History Library oral history transcript of Fineberg. I am not sure what Paris Cultural Affairs was or is. In my interview with Fineberg, he became very upset at any mention of what might have caused a cancellation of translation plans and did not want to talk with me about it. As it turns out, at the time he did not know how and why the French translation was cancelled and only found out later from the AJC Archives. On his AJC oral history, he indicates that Shuster killed the translation. During my interview, he emotionally refused to name any person.
105. AJC Wiener Oral History Library oral history transcript of Fineberg.
106. White Plains, New York, Reporter Dispatch, January 28, 1954.
107. Ellerin was the ADL's National Fact Finding Director and Nathan was Director of Servicing of the Community Service Department of the AJC.
108. See The New Leader, February 6, 1956.
109. April 25, 1956, letter from Fineberg to Wormuth (AJA).

CHAPTER V: GOVERNMENTAL INVOLVEMENT

1. After the execution of the Rosenbergs, Morton Sobell's name was added to the National Committee to Secure Justice in the Rosenberg Case. For purposes of this paper, however, the abbreviation NCSJRC will be used throughout.
2. Committee on Un-American Activities, U. S. House of Representatives,

Trial by Treason, p. 134.

3. According to an August 10, 1955, memo from Fineberg to Slawson (AJA).
4. HUAC, Trial by Treason, p. 2.
5. August 10, 1955, memo from Fineberg to Slawson (AJA). One of the HUAC investigators may have been George C. Williams.
6. Undated memo from Fineberg to Danzig. Mr. Frank Tavenner was HUAC counsel.
7. July 28, 1955, memo from Danzig to Fineberg (AJC).
8. Fineberg's statement given HUAC during NCSJRC hearings (AJA); See also HUAC, Trial by Treason, p. 96.
9. August 6, 1955, memo from Fineberg to Terman and James Gallagher (AJC) and AJC Wiener Oral History Library oral history transcript of Fineberg. The Far Rockaway incident is described in Chapter IV.
10. August 10, 1955, memo from Fineberg to Slawson (AJA).
11. HUAC, Trial by Treason, p. 91.
12. HUAC, Trial by Treason, p. 91.
13. HUAC, Trial by Treason, p. 95.
14. Quoted in Albert Vorspan, Giants of Justice, p. 216.
15. The quote and information in this paragraph are taken from my Fineberg interview and from a summary on Communism written by Fineberg and deposited at the AJA.
16. Poling had been one of the six representatives of the three religious groups Fineberg had pulled together to write a statement on the Rosenberg case (see Chapter IV).
17. July 31, 1950, memo from Flowerman to Slawson.
18. July 31, 1950, memo from Flowerman to Slawson.
19. NCRRC advertisement in the New York Times, June 19, 1977.
20. Those copies which are difficult to read or illegible in part are the fault of the FBI, not Perlman nor the NCRRC, nor myself.
21. Jewish Telegraphic Agency Daily Bulletin, January 4, 1952, p. 4.
22. Milton Lehman, p. 87.
23. On May 6, 1954.

CHAPTER VI: THE CHRISTIAN RESPONSE IN THE UNITED STATES

1. February 1953 letter from Cronbach to Ohio clergy (AJA).
The Pope Pius appeal will be examined in Chapter VII.
2. March 2, 1953, letter from Robinson to Cronbach (AJA).
3. February 25, 1953, letter from St. Claire to Cronbach (AJA).
4. February 25, 1953, letter from Johnstone to Cronbach (AJA).
5. Religious News Service story, March 10, 1953.
6. May 24, 1951, letter from Philadelphia Yearly Meeting of Friends to Truman (AJA).
7. Religious News Service story, June 5, 1953.
8. New York Times, February 23, 1953, p. 22.
9. Quoted in HUAC, Trial by Treason, p. 102.
10. Religious News Service story, January 14, 1953.
11. Religious News Service story, January 14, 1953.
12. New York Times, January 13, 1953, p. 15.
13. Quoted in HUAC, Trial by Treason, p. 100.
14. Abraham Cronbach, Autobiography, p. 71.
15. Fineberg, "They Screamed for Justice," p. 46.
16. HUAC, Trial by Treason, p. 98.
17. HUAC, Trial by Treason, p. 98.
18. The movie I Was a Communist for the FBI was based on Philbrick's adventures.
19. HUAC, Trial by Treason, pp. 98-99.
20. Aaron Antonovsky, "Identity, Anxiety, and the Jew," p. 430.

CHAPTER VII: THE CHRISTIAN AND JEWISH RESPONSE OVERSEAS

1. Quoted in the New York Times, February 15, 1953, p. 24.
2. February 13, 1953, letter from Apostolic Delegate A. G. Cicognani to Sherman Adams quoted in the New York Times, February 15, 1953, p. 24.

3. New York Times, June 19, 1953, p. 8, and Religious News Service story, June 19, 1953.
4. Religious News Service story, June 17, 1953.
5. American Jewish Yearbook, ed. Morris Fine, 55 (1954), 228.
6. Religious News Service story, June 15, 1953.
7. NCSJRC, leaflet, February 9, 1953 (AJA).
8. Religious News Service story, June 9, 1953.
9. Religious News Service story, June 11, 1953.
10. American Jewish Yearbook, ed. Morris Fine, 55 (1954), 190-191.
11. Quoted in Death House Letters, p. 157.
12. February 17, 1954, memo from the AJC's Paris office to the AJC Foreigns Affairs Department (AJC).
13. Le Monde, June 18, 1953, p. 2, quoted in Schneir, p. 241.
14. Quoted in several NCSJRC pamphlets (AJA).
15. "Human Dignity Will not Die," Jewish Life, 7 (July 1953), 3.
16. American Jewish Yearbook, ed. Morris Fine, 55 (1954), 258.
17. Rev. Partridge seems to be called by different first names. Nizer refers to him as the Rev. Clendon F. G. Partridge while the NCSJRC, Fineberg, and HUAC refer to him as the Rev. Glendin Partridge.
18. Cited in a NCSJRC publication. The Jewish Council to Combat Fascism and Anti-Semitism may well have been a leftist organization.
19. New York Times, June 19, 1953, p. 8, and Nizer, p. 457.
20. Religious News Service story, January 19, 1953.
21. Leslie A. Fiedler, "A Postscript to the Rosenberg Case," Encounter, 1 (October 1953), 16.

CHAPTER VIII: THE ISRAELI RESPONSE

1. New York Times, December 31, 1952, p. 3.
2. New York Times, January 1, 1953, p. 11.
3. New York Times, November 22, 1952, p. 22.

4. NCSJRC press release, December 5, 1952.
5. Jerusalem Post, January 6, 1953, p. 1.
6. Jerusalem Post, May 29, 1953, p. 3.
7. New York Times, June 22, 1953, p. 7. Ha-Ogen translates to "the anchor" in English.
8. New York Times, August 7, 1953, p. 4, and Jewish Telegraphic Agency story, August 7, 1953.
9. Jerusalem Post, November 2, 1952, p. 1.
10. Jerusalem Post, January 6, 1953, p. 4.
11. Jerusalem Post, January 7, 1953, p. 4.
12. Jerusalem Post, June 22, 1953, p. 2.
13. Jerusalem Post, June 18, 1953, p. 2.
14. Jerusalem Post, June 16, 1953, p. 2.
15. Jerusalem Post, June 22, 1953, p. 2.
16. Jerusalem Post, June 15, 1953, p. 2.
17. Jerusalem Post, June 21, 1953, p. 2.
18. Jerusalem Post, June 22, 1953, p. 2.
19. Jerusalem Post, June 22, 1953, p. 2.
20. Jerusalem Post, June 25, 1953, p. 2.
21. Jerusalem Post, June 28, 1953, p. 2.
22. Jerusalem Post, June 29, 1953, p. 2.

CHAPTER IX: WERE WE AFRAID OF GHOSTS?

1. Quoted in Naomi Cohen, Not Free to Desist: The American Jewish Committee 1906-1966, p. 348.
2. Louis Marschalko, The World Conquerors: The Real War Criminals, trans. A. Suranyi, pp. 197-198.
3. Marschalko, pp. 202-204.
4. Epstein interview.

5. Dawidowicz, "'Anti-Semitism' and the Rosenberg Case," p. 45.
6. Aaron Antonovsky, "Identity, Anxiety, and the Jew," in Maurice Stein, Arthur Vidich, and David Manning White, Identity and Anxiety: Survival of the Person in Mass Society, p. 430.
7. Antonovsky, p. 431 (emphasis his).
8. Antonovsky, p. 431.
9. Antonovsky, p. 431.
10. Antonovsky, p. 432.
11. Antonovsky, p. 432.
12. Antonovsky, pp. 433-434.
13. May 4, 1951, memo from Flowerman to Slawson (AJC).
14. August 14, 1953, memo from Vosk (Flowerman's successor) to Fineberg (AJC).
15. Charles Herbert Stember, Jews in the Mind of America, p. 163.
16. Quoted in Stember, p. 164.
17. Srole is summarized in Stember, pp. 165-169.
18. Stember, p. 168 (emphasis his).
19. Ted Morgan, "The Rosenberg Jury," Esquire, 83 (May 1975), 124.
20. April 8, 1954, letter from Hevesi to Shuster (AJC).

CHAPTER X: A CASE POSTSCRIPT

1. Morgan, p. 105.
2. Gerry Nadel, "And the Rosenberg Kids," Esquire, 83 (May 1975), 106.
3. AJC Wiener Oral History Library oral history transcript of Fineberg.
4. Joel Rosenberg, "We Are All Your Sons: Ethel and Julius Rosenberg Revisited and Revisiting--A Review Essay," Response, Fall 1975, pp. 9-11.
5. May 4, 1962, memo from Fineberg on the AJLAC (AJA).
6. AJC Wiener Oral History Library oral history transcript of Fineberg.

7. Murray Polner, Rabbi: The American Experience, pp. 112-113.
8. Schappes interview.
9. Schappes interview.
10. Michael Meeropol, "Afterword," Response, Fall 1975, pp. 33-34.
11. Micahel and Robert Meeropol, We Are Your Sons: The Legacy of Ethel and Julius Rosenberg, p. 277. Michael Meeropol maintains that Fineberg's statement is in the possession of Emily Alman.
12. Meeropol, We Are Your Sons, p. 279.
13. October 3, 1953, letter from Cronbach to Brainin (AJA).
14. November 14, 1953, letter from Cronbach to Brainin (AJA).
15. August 11, 1961, memo from Lukas to Rabbi Marc Tanenbaum (AJC).
16. February 26, 1960, letter from Fineberg to Greene (AJC).
17. February 21, 1961, letter from Fineberg to Rabbi Albert Minda (AJA).
18. June 27, 1961, memorandum from Terman to Area Directors and Executive Assistants (AJA).
19. February 26, 1962, letter from Fineberg to Fain (AJC). Copies were sent to all the members of the committee.
20. February 28, 1962, letter from Lieberman to Fineberg (AJC).
21. December 28, 1961, minutes of meeting of special projects committee of the AJC. Tanenbaum is now head of the AJC's Interreligious Affairs Department.
22. Alexander M. Bickel, "The Rosenberg Affair," Commentary, 41 (January 1966), 72.
23. Bickel, p. 72.
24. Donald Freed's Inquest: A Tale of Political Terror.
25. Jacobvitz interview.
26. NCRRC advertisement in the New York Times, June 19, 1977.

APPENDIX A: TWO ISSUES WHICH FURTHER INCREASED JEWISH DISCOMFITURE

1. Document obtained by the NCRRC from the FBI under the Freedom of Information Act.

2. Koslowe interview.
3. Nizer, The Implosion Conspiracy, p. 484.
4. New York Times, June 22, 1953, p. 1.
5. The description of the funeral is based on reports from Cronbach, Fineberg, Nizer, the Jewish Telegraphic Agency, the New York Times of June 22, 1953, and the Jewish Daily Forward of June 22, 1953.

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Archives and Records

American Jewish Archives (AJA)

American Jewish League against Communism papers
 Cronbach papers
 Fineberg papers (including the AJC William A. Wiener Oral
 History Library oral history transcript of
 S. Andhil Fineberg)
 Rosenberg papers
 Schultz papers

American Jewish Committee (AJC)

Blaustein Library Rosenberg materials
 Records Center and Archives--Rosenberg-related papers

Hebrew Union College-Jewish Institute of Religion Klau Library (HUC-JIR)
 Boxes of Rosenberg materials

Interviews and Correspondence

A large number of interviews were conducted. Among those interviewed were:

Rabbi Leonard Beerman
 Benjamin Epstein
 Rabbi S. Andhil Fineberg
 Robert Jacobvitz
 Rabbi Irving Koslowe
 Michael Meeropol
 Ralph Melnick
 Marshall Perlin
 Morris U. Schappes
 Henry Schwarzschild
 Albert Vorspan
 Michael Weber

Additionally, the author maintained a vast correspondence during the research and writing of the work. The correspondents are mentioned throughout the body and notes of the work.

