

**House Un-American Activities Committee** • A congressional committee formed in May 1938 to investigate disloyalty in the United States. In the late 1940s it gained great power to investigate Communist activity – one of its most famous hearings was on Communism in Hollywood. It became overshadowed by Senator McCarthy's actives in the 1950s and was abolished in January 1975.

**KGB** • In the Soviet Union, the "Committee of State Security," an independent agency that was the security instrument of the central committee of the Communist Party. The agency carried on foreign espionage and had a team of agents in each targeted country. It coordinated the espionage activities in the United States in which Julius Rosenberg and others were involved.

**Venona Project** • An effort begun in 1943 by the U.S. Army Signal Intelligence Service that succeeded in cracking the Soviet diplomatic code. The deciphering of messages continued until 1980. The release of some 2,900 translated documents in the 1990s threw considerable light on the Soviet Union's espionage activities in the United States in the period during and after World War II. The documents demonstrate Julius Rosenberg's involvement in espionage.

### Laws, Cases, and Legal Terms

• **Fifth Amendment** – Adopted on Dec. 15, 1791, it reads in full:

*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment, of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

The clause that says that a person shall not "be compelled in any criminal case to be a witness against himself" was invoked by the Rosenbergs when they refused to answer questions about their activities. It became prominent in many investigations in the 1950s, especially of people accused of Communist activity. Although witnesses' refusal to answer questions often frustrated government investigators, this amendment clearly supported their right to do so.

• **Smith Act** – A law passed in 1940 making it illegal "to teach and advocate the overthrow and destruction of the United States government by force and violence." It was used during the Cold War to send hundreds of Communists to jail.

### Things to Think About

• Judge Kaufman called the Rosenbergs' crime "worse than murder" and blamed them for 50,000 casualties in Korea. Why do you think he made such a strong statement? How did his feelings justify the sentence he handed down? Do you think espionage ever merits the death penalty? Do you think it did in this case?

• Ethel Rosenberg's last words were "We are the first victims of American fascism." What do you think she meant by this, especially in the context of the times?

• Do you think the Smith Act was an unfair restriction on free speech or a necessary measure to protect the United States?

• Research the rise of Joseph McCarthy. What made his message so powerful? The rise of McCarthy and of the new medium of television occurred at about the same time, and McCarthy used television to get across his anti-Communist message. How has television influenced the political process and how does it continue to do so? How can the public be protected from the manipulation of public opinion by skilled users of television?

• Although the Cold War is over, many countries, including the United States, still conduct espionage activities. What can you find out about the reasons they do so? How and why is espionage still important to governments?

### Internet Resources

<http://e.findlaw.com/fbi/rosen/rosen00001.html> – A large site containing FBI files on the Rosenberg case.

<http://www.webreview.com/news/natl/rosenberg/rosen2.html> – A fascinating site with the transcripts of the Venona cables as they apply to the Rosenberg case.

<http://www.columbia.edu/acis/cria/rosenberg/index.html> – From Columbia University, an enormous collection of papers on the Rosenberg case.

<http://www.law.umkc.edu/faculty/projects/ftrials/rosenb/ROSENB.HTM> –

From the University of Missouri at Kansas City's Web Site, "Famous American Trials," a comprehensive section on the Rosenbergs.

<http://foia.fbi.gov/roberg.htm> – From the FBI's Web site, materials on the Rosenberg case.

<http://www.apbnews.com/crimesofthecentury/stories/rosenbergs.html> – A concise summary of the Rosenberg case with links to other Web sites.

### Other Resources

*For students:*

**Cohen, Daniel.** *Joseph McCarthy: The Abuse of Political Power.* Millbrook, 1996.

**Steins, Richard.** *The Postwar Years: The Cold War and the Atomic Age (1950-1959).* Twenty First Century Books, 1995.

*For adults:*

**Carmichael, Virginia.** *Framing History: The Rosenberg Story and the Cold War (American Culture, Vol 6).* University of Minnesota Press, 1993.

**Caute, David.** *The Great Fear: The Anti-Communist Purge Under Truman and Eisenhower.* Simon and Schuster, 1978.

**Garber, Marjorie, ed.** *Secret Agents: The Rosenberg Case, McCarthyism, and Fifties America (Culture Work).* Routledge, 1995.

**Goldstein, Alvin H.** *The Unquiet Death of Julius and Ethel Rosenberg.* Lawrence Hill, 1975.

**Meeropol, Michael, ed.** *The Rosenberg Letters: A Complete Edition of the Prison Correspondence of Julius and Ethel Rosenberg* (Garland Reference Library of the Humanities, V). Garland, 1994.

**Meeropol, Robert, and Meeropol, Michael.** *We Are Your Sons: The Legacy of Ethel and Julius Rosenberg.* Houghton Mifflin, 1975. (Written by the sons of Julius and Ethel Rosenberg.)

**Moss, Francis.** *The Rosenberg Espionage Case (Famous Trials).* Lucent Books, 2000.

**Neville, John F.** *The Press, the Rosenbergs, and the Cold War.* Praeger, 1995.

**Okun, Rob A.** *The Rosenbergs: Collected Visions of Artists and Writers.* Universe Books, 1988.

**Radosh, Ronald, and Milton, Joyce.** *The Rosenberg File.* Yale University Press, 1997.

**Wexley, John.** *The Judgment of Julius and Ethel Rosenberg.* Ballantine, 1977.

*E.L. Doctorow's novel The Book of Daniel is based on the Rosenberg case, especially the struggles of their children. It was made into the movie Daniel in 1983. A 1997 television documentary shown on the Discovery Channel, The Rosenberg File: Case Closed, features interviews with Alexander Feklisov.*

## LANDMARK AMERICAN TRIALS

### JULIUS AND ETHEL ROSENBERG

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# LANDMARK AMERICAN TRIALS

Some trials take on a significance that is larger than the verdict itself. Such trials are shaped by the tenor and emotions of the era in which they occur, and in turn may reshape prevailing attitudes. The trials of this series fall into that category. Whether pointing up the anti-anarchistic hysteria demonstrated in the 1921 Sacco and Vanzetti trial or the anti-Communist fervor exhibited during the 1951 Rosenberg case, these trials become miniature history lessons that can provide as much insight into an age as a history textbook.

## JULIUS AND ETHEL ROSENBERG

In New York City in 1951, six years after the first atomic bombs were dropped on Japan, and in the midst of post-World War II anti-Communist fervor, Julius Rosenberg and his wife, Ethel, were tried for conspiracy to commit espionage. The trial has been the subject of controversy for nearly 50 years. Some see the Rosenbergs as victims of a hysterical fear of Communism that lasted in the U.S. through most of the 1950's. Others see them as criminals who compromised the nation's security and deserved the punishment they received, which was execution. Both the Rosenbergs maintained their innocence to the end.



## Background

### The Cold War, the Nuclear Age, and the Fear of Communism

• Few events in U.S. history created more fear than the announcement by President Harry Truman on September 23, 1949, that the Soviet Union had acquired the atomic bomb. Up until that point, the United States was the only nation that possessed this awesome weapon – one it had used with devastating effect against Japan in August 1945. Now, not only was the bomb in the possession of another country – it was owned by a country that was growing increasingly hostile toward the United States.

• Immediately, one question rang out from coast to coast: how could this have happened so quickly? Did the Soviet Union really have the capability of building the bomb – or was its secret stolen from the United States by spies? Fear of Communism had been steadily mounting ever since it became obvious that the Soviet Union was no longer the ally it had been in World War II but a powerful competitor with an ideology that called for the destruction of the American way of life. This atmosphere of confrontation between the two superpowers soon earned the name “Cold War.” Well before the Soviet bomb, the House Un-American Activities Committee was zealously investigating Communist infiltration in the United States, and many people were prepared to believe that the Soviets had a broad network of agents and sympathizers placed in the most sensitive areas of American society and government.

• The fear of Communist infiltration heightened in 1950, when Senator Joseph McCarthy charged that the U.S. State Department was riddled with Communists. He said that the administrations of Franklin Roosevelt and Harry Truman amounted to “twenty years of treason,” and after Dwight Eisenhower was elected, he began to criticize his administration, too, and spoke now of “twenty-one years of treason.”

• In this atmosphere, many people who had been sympathetic to leftist causes during the Depression began to be suspected of being friendly to the Soviet Union. Some states and organizations began requiring “loyalty oaths” of their employees, and many people lost their jobs. This search for suspected Communists, some argued, had turned into a “witch hunt,” in which innocent people were accused of things they never did.

• This was the climate in which the trial of the Rosenbergs took place. Many Americans saw their executions as an overreaction to the Cold War hysteria of the early 1950s.

## The Issues

The trial of the Rosenbergs was historically important because it brought together many issues that were then, and still are, hotly debated in the United States. Some of them are:

• **Communism** – Although the Communist Party is no longer a factor in American politics, in the 1930s it attracted many sympathizers. The Great Depression seemed to prove the Communist contention that the capitalist system was fundamentally flawed. At the same time, the struggle of American workers to form labor unions – a struggle often met with violent oppression – seemed to show that the upper classes were intent on exploiting the workers. After World War II, however, former Communist sympathizers were often harassed.

• **McCarthyism** – Senator Joseph McCarthy (see “Important People”) became one of the most controversial politicians of the early 1950s for his contention that Communist agents had infiltrated American government and society. On one hand, many suspected Communists, often innocent, lost their jobs – the entertainment and academic worlds were especially affected. On the other hand, information that came out of the Soviet Union after the end of the Cold War (see the “Venona Project” entry in “Vocabulary”) showed that the number of Communist spies placed in sensitive positions was greater than many people believed – although it is doubtful McCarthy had this information.

• **Justice or Hysteria?** – Although the evidence now suggests that Julius Rosenberg was guilty of espionage, it can be argued that nothing he did deserved the death penalty. The information he passed on was of marginal importance and, in the United States, the death penalty has been used very seldom in cases of espionage. Ethel’s guilt seems far from proven and she

## Events of the Case

**1934** • Julius Rosenberg enrolls at City College of New York; joins the Steinmetz Club, the campus branch of the Young Communist League.

**June 1939** • Ethel Greenglass marries Julius Rosenberg.

**1940** • Julius hired as civilian employee of U.S. Army Signal Corps.

**1943** • The Rosenbergs’ first son, Michael, born; the Rosenbergs stop their openly Communist activities.

**1944** • David Greenglass, Ethel’s brother, assigned to work on atomic bomb project, Los Alamos, N.M.

**March 1945** • Julius fired from the Signal Corps and accused of being a Communist.

**1947** • The Rosenbergs’ second son, Robert, is born.

**June 15, 1950** • David Greenglass questioned by the FBI.

**July 17, 1950** • Julius arrested; Ethel arrested less than a month later.

**March 6, 1951** • The trial of the Rosenbergs and Morton Sobell begins.

**March 15, 1951** • Harry Gold testifies about Jell-O box incident.

**March 22, 1951** • Rosenberg defense begins. Only Julius and Ethel are called to testify.

**March 29, 1951** • The Rosenbergs and Sobell found guilty.

**April 5, 1951** • The Rosenbergs sentenced to death; Sobell gets 30 years, the maximum sentence.

**February 17, 1953** • President Dwight D. Eisenhower rejects the Rosenbergs’ appeal for clemency.

**June 17, 1953** • Supreme Court Justice William O. Douglas grants a stay of execution

**June 19, 1953** • The Supreme Court overrules stay of execution; Julius and Ethel Rosenberg are executed.

**June 21, 1953** • The Rosenbergs are buried.

**1969** • Morton Sobell released from prison.

**July 1995** • U.S. National Security Agency releases that portion of the Venona Cables showing that Julius Rosenberg was a spy.

**March 1997** • Former Soviet spy master Alexander Feklisov confirms that Julius was a Soviet agent but adds that Ethel was innocent.

## Other Events

**August 1945** • United States drops two atomic bombs on Japan. Dawn of the Nuclear Age.

**March 5, 1946** • Former British Prime Minister Winston Churchill delivers speech saying an “Iron Curtain” has fallen across Europe. This address cited as beginning of Cold War.

**October 20, 1947** • The House Un-American Activities Committee (HUAC) begins hearings on Communist influence in the motion picture industry.

**February 29, 1948** • Communists seize control of Czechoslovakia.

**April 1, 1948** • After Soviets blockade Berlin, U.S. and Britain begin flying in supplies. “Berlin Airlift,” ending May 1949, is one of the tensest moments of Cold War.

**June 30, 1949** • President Truman criticizes anti-Communist hysteria.

**September 23, 1949** • Truman informed that Soviets have detonated atomic bomb.

**Oct. 1, 1949** • People’s Republic of China proclaimed. Takeover of China by Communists is felt as great psychological blow to West.

**Oct. 12, 1949** • Communist government established in East Germany.

**February 7, 1950** • Sen. Joseph McCarthy delivers speech charging that U.S. State Department has been infiltrated by more than 200 Communist agents.

**March 1, 1950** • Klaus Fuchs sentenced to 14 years imprisonment for espionage.

**June 25, 1950** • Korean War begins.

**December 16, 1950** • Truman declares state of emergency; calls on all Americans to fight against “Communist imperialism.”

**May 12, 1951** • U.S. government announces that military has tested hydrogen bomb.

**July 27, 1953** • An armistice takes effect in Korea.

**August 14, 1953** • USSR announces it’s developed hydrogen bomb.

**November 23, 1953** • McCarthy charges Truman administration “crawled with Communists.”

**December 1954** • McCarthy condemned by Senate, 67-22, for “contemptuous” conduct toward subcommittee that investigated his finances and for abuse of committee that recommended his censure.

# THE TRIALS

remains only one of two women ever executed by the U.S. government (the other was Mary Surratt, who was hanged for her role in the assassination of Abraham Lincoln). These factors have led many observers to conclude that the executions of the Robenbergs were excessive and unnecessary and that they only happened because of a cultural climate that was rife with anti-Communist hysteria. In a wider sense, the case raises the issue of how fair trials can be guaranteed in highly publicized cases.

## Important People

**Bloch, Emanuel** • Head of the defense team in the Rosenberg trial; he is well known for defending union and leftist causes.

**Cohn, Roy** • Assistant to the prosecution team, he aggressively questions David Greenglass. He later becomes famous as an aide to Sen. McCarthy.

**Douglas, William O.** • U.S. Supreme Court Justice who grants the Rosenbergs a stay of execution. His ruling is quickly overturned.

**Elitcher, Max** • Prosecution witness in the Rosenberg trial. His testimony is the only evidence linking Sobell to the Rosenbergs.

**Feklisov, Alexander** • Retired KGB colonel who says in the 1990s that Julius Rosenberg was one of his agents and calls him a “hero.” He says, however, that Julius’s help was minimal and denies that Ethel Rosenberg engaged in espionage.

**Fuchs, Klaus** • German-born physicist who worked on the U.S. development of the atomic bomb. He was convicted in 1950 of spying for the Soviet Union.

**Gold, Harry** • Confessed spy who implicated David Greenglass in espionage.

**Greenglass, David** • Ethel Rosenberg’s younger brother; after being arrested he identifies his wife and his brother-in-law, Julius Rosenberg, as members of a Soviet spy ring.

**Greenglass, Ruth** • Wife of David Greenglass. She makes a deal with the prosecution and testifies against Ethel Rosenberg. She is never indicted.

**Hoover, J. Edgar** • Controversial director of the Federal Bureau of Investigation (FBI) from 1924 to 1972. During the Cold War he becomes a symbol of anti-Communism. He is obsessed with ferreting out Communist spies and calls the Rosenberg case “the crime of the century.”

**Kaufman, Irving** • Judge in the Rosenberg trial.

**Kuntz, Edward** • Attorney representing Morton Sobell. He convinces Sobell not to take the stand, which was probably a mistake.

**McCarthy, Joseph** • Wisconsin senator who becomes famous and controversial in the early 1950s by charging that various U.S. government agencies harbor Communist employees. The central figure in what has been called the Communist “witch hunt” of the period.

**Rosenberg, Ethel** • Born Ethel Greenglass in 1915. Wife of Julius; executed in 1953 although she was probably innocent.

**Rosenberg, Julius** • Born in 1918. Became a Communist during the 1930s and acted as an agent for the Soviet Union. Executed in 1953.

**Saypol, Irving H.** • Head of the prosecution team in the Rosenberg trial.

**Sobell, Morton** • Co-defendant of the Rosenbergs. He is sentenced to 30 years in jail and is released in 1969.

## Vocabulary

**Cold War** • The period lasting from the late 1940s to the early 1990s during which the United States and its allies were engaged in an ideological conflict with the Soviet Union and its allies, a conflict that, except for regional strife, fell short of direct, widespread military involvement.

**Federal Bureau of Investigation** • The investigative arm of the U.S. Department of Justice. Headed by J. Edgar Hoover from 1924 to 1972, it compiled huge numbers of files on U.S. citizens during the Cold War, as it monitored their political activities.

**Hollywood Ten** • A group of screenwriters who refused to cooperate with the HUAC (see below) and were cited for contempt. Because of the controversy, many film executives began refusing to hire suspected leftists. The so-called “blacklist” of people who were barred from working in the film industry because of their – real or supposed – leftwing political affiliations lasted over a decade and ruined many careers.