
Information Seekers: How Newly Released Documents Shaped The Rosenberg Case

October 2, 2018 The United States' history is short, but it comes along with many controversial events that have shaped America to what it is today. During this the 1940's, American's were under a constant threat of Soviet attacks in an era that was popularly referred to as "The Red Scare." The United States' government made it a priority to eliminate all potential threats within America's borders, causing the era known as "McCarthyism." This anti-communism movement created mass hysteria among Americans, as they didn't know if they were on the government's "blacklist." In the case of the Julius and Ethel Rosenberg, a New York family is accused and arrested of selling American nuclear secrets to Russian intelligence in late 1940's. The case was a national phenomenon and still brings up debates today. The Freedom of Information Act, or FOIA, which declassifies documents 25 years after they go into record, changed how people viewed the Rosenberg case. The released documents, starting to become available in 1978, confirmed that the Rosenbergs were involved in espionage. As the years moved on and new documents became released, new stories came to light, and new evidence implicated those previously viewed as innocent.

The Rosenberg case was one of the most famous cases in an era referred to as McCarthyism. "McCarthyism is anticommunism conducted on a level of symbolic politics." McCarthyism wasn't about one man's hunt for domestic communists, as the name implies, but it was about the American hysteria of political identity. People turned into targets, and anticommunism aimed to denounce, degrade, and destroy those accused of being Communists. Written in 1998, only a few years after the first Venona files had been released, Powers does not mention the Rosenbergs as a cause for political gain during the era of McCarthyism. Lori Clune, in "Great Importance World-Wide: Presidential Decision-Making and the Executions of Julius and Ethel Rosenberg," argued that the Rosenbergs provided great political gain during the era of McCarthyism. "It appears that the majority of Americans supported Eisenhower's decision to deny the Rosenbergs clemency." The mass hysteria surrounding communists allowed for Eisenhower's approval ratings to soar, showing that at the time, due to the opposition of communism, the majority of Americans believed the Rosenbergs were guilty.

The Venona Papers, released in 1995, were documents releasing names and accounts of people that communicated with Russian intelligence during the Red Scare. This changed the way people interpreted the facts, leading to new conclusions regarding the Rosenbergs. In Michael E. Parrish's "Cold War Justice: The Supreme Court and the Rosenbergs," written in 1977, Parrish says, "the physical evidence introduced to buttress this incriminating testimony consisted of only five items, all dubious." In 1977, President Jimmy Carter, on his first day in office, pardoned all Vietnam War draft evaders. By doing this, it opened the door for Americans to question past events that have been looked at with controversy. It showed that the American justice system could be wrong and could overturn cases with relative ease; it took Carter only one day to reverse a decision that was in place for years. Parrish's argument stems from improper justice, as the evidence was not concrete or incriminating enough to sentence the Rosenbergs. However, in 1995, when the Venona Papers were released to the public under FOIA, people started to understand the reasoning behind the guilty conviction. In Staughton Lynd's 2011 article, "Is There Anything More to Say About the Rosenberg Case?", he states

that “the government had in its possession far more incriminating evidence in the form of the Venona transmissions that it decided not to use. The reason for the decision, of course, was that the U.S. government wished to continue its own spying into Soviet decision making without the Russians’ knowledge.” Lynd states that the Rosenbergs were guilty beyond reasonable doubt and the government knew what the public didn’t.

While the Venona Papers confirmed the Rosenbergs were involved in and ran an espionage ring, the death penalty remained a questionable sentence. Ethel Rosenberg’s level of involvement in espionage remained a question for many years. Even in defense of the Rosenbergs, Ronald Radosh and Joyce Milton’s book, *The Rosenberg File*, thought that Ethel was involved. “Ethel Rosenberg probably knew of and supported her husband’s endeavors, and it seems almost certain that she acted as an accessory, at least in the activation of her own brother, David Greenglass.” Even here, while Radosh and Milton were trying to prove Ethel’s limited involvement, they use words like “probably knew” to make it seem as if she casually knew about the espionage, but was not a major player except one incident. While there was no evidence of Ethel being completely innocent, Radosh and Milton state that “it is striking that the FBI investigative files contain no hard information to show that Ethel’s active participation in the spy ring extended beyond the Greenglass incident.” Radosh and Milton approached the sentence as an unfair punishment. The punishment did not fit the crime as the Rosenbergs, while admitting they were spies, did not pass along crucial information regarding the technology of an atomic bomb.

It wasn’t until 2015 when David Greenglass’s grand jury testimony revealed that Ethel’s involvement in espionage was marginal. Ellen Schrecker and Phillip Deery stated that despite Greenglass’s testimony implicating Ethel used a hidden microfilm camera to give atomic information to the Soviets, his 1950 testimony to a grand jury seven months before the Rosenberg trial made no mention of a camera and that he never discussed espionage in any form with her. Schrecker and Deery are able to confirm that Ethel was marginally involved based on Greenglass’s perjury. Availability of documents shaped their arguments. While Radosh and Milton did not have documents proving Greenglass’s lie, they used the lack of evidence against Ethel to try and produce an argument that maybe Ethel wasn’t as involved as previously thought. When more information was released under FOIA, like the testimony of Greenglass, Schrecker and Deery were able to use them to further the argument and confirm Ethel’s lack of involvement.

Perhaps the most compelling argument that the Venona Papers changed the outlook on the Rosenberg case was the work of Walter and Miriam Schneir. In their 1968 book, *Invitation to an Inquest; a new look at the Rosenberg-Sobell case*, they argued that the Rosenberg case was yet to be solved, and that all signs pointed to innocent of being spies. “Nor did the reading of the trial record provide and positive answer for most people as to the guilt or innocence of the Rosenbergs, though many who studied the trial record came away with gnawing uncertainties as to the validity of the verdict.” In 2010, well after the Venona files had been released, Walter and Miriam Schneir began investigating their previous claim. Now they believe that the Rosenbergs were spies, but their involvement in atomic espionage was slim. “Julius too was a zealous spy, but he had little to do with atomic espionage.” They were able to completely transform their arguments from complete innocence to Julius being guilty of being a spy, but not in terms of selling atomic secrets, and Ethel’s innocence based on the documents that were available because of FOIA.

The Rosenbergs have been a controversial topic since their case became public. Throughout the past 65 years, people's opinions on the Rosenberg case have changed, and the root of that change is the releasing of documents relative to the Rosenbergs made available by the Freedom of Information Act. Debates still rage today on their level of involvement and whether or not the death penalty was too harsh, but the Venona Papers were able to prove that the Rosenbergs were in fact guilty of espionage. Articles and books that mention the Rosenbergs written after 1995 are able to factor in much more evidence for their case, which gives Americans a more factual story of the Rosenbergs.

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