

# New Evidence Shows Sobells Not Guilty

Fifth Estate Collective

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Fifteen years ago, in 1951, Morton Sobell was sentenced to thirty years in prison. Julius and Ethyl Rosenberg were sentenced to the electric chair. The charge—espionage. In 1953, after numerous, fruitless appeals to higher courts, the Rosenbergs went to their death at Sing Sing prison still proclaiming their innocence.

The three were arrested and sentenced for allegedly furnishing the USSR with vital information on the atomic bomb, a charge that the Rosenbergs firmly denied. Sobell after sixteen years of imprisonment of the thirty year sentence, denies the same. This is strange behavior when they lived in the common knowledge that their sentences would be lessened considerably if they would admit their “guilt.” But perhaps they are not guilty—perhaps there is nothing to admit.

The trial of the U.S. versus Rosenberg and Sobell took place just as McCarthyism was gaining momentum. The liberals were silent and the left was almost non-existent. The right wing reigned and the nation was whipped up into a state of hysteria by much of the press and many of the politicians. The great fear was of Communism and Communists both in this country and abroad. Sobell, the Rosenbergs, and a host of others became the direct victims of that fear. David Greenglass, brother of Ethyl Rosenberg, provided the testimony that condemned his sister and her husband. However, David Greenglass, as his wife, Ruth, told their attorney, had a “tendency to hysteria” and would often “say things were so even if they were not.”

Morton Sobell was convicted of partaking in the spy ring solely on the testimony of Max Elitcher, a neighbor, co-worker, and former schoolmate. However, no definite connection was ever made between Sobell and the Rosenbergs, and why they were tried together remains unclear. Sobell was arrested seven months prior to the trial, and neither he nor his attorney were informed as to why he was being detained until the second day of the trial. The prosecution could produce no tangible evidence of espionage during the trial. David Greenglass, named as a co-conspirator, admitted to drawing the picture of the atom bomb and claimed to have transferred it to Rosenberg. He received a comparatively lenient 15 year sentence because of his “cooperation.”

The testimony of various witnesses as well as the hysterical public found the three guilty. In Europe, however, the public solemnly watched the trial and felt that it was part of a deterioration of America’s traditional democratic freedoms. There arose a furor concerning the lack of evidence, the question of innocence, and finally, the sentence of death for the Rosenbergs, parents of two sons, and the 30 year incarceration for Sobell also the father of two. Many believed it to be a political frame-up.

The Rosenbergs have long been deceased and although the question of their guilt is often doubted, they can no longer be aided, except possibly to clear their name. However, Morton Sobell is alive. Morton Sobell now sits in prison with fourteen more years to serve. Perhaps he can be aided. In recent months copies of the A-bomb drawings by Greenglass have been made declassified material. They have been viewed by Mr. Sobell’s six man defense group. Originally the sketches had been impounded during the trial at the request of the defense attorney, Emanuel Bloch, who later regretted the move and was subjected to much criticism for it. The sketches, given to the Atomic Energy Commission, were recently declassified and made available to public scrutiny.

Two scientists, Philip Morrison, professor of physics at Massachusetts Institute of Technology, and Henry Lin-schitz, professor of chemistry at Brandeis University, examined the released sketches at the request of Sobell's attorneys. Both men worked on the creation of the atomic bomb—they found the sketches to be false, incomplete and misleading. The Department of Justice vigorously opposed the sketches and testimony being unsealed on the grounds that the publication of the drawings would not be in the best interest of the national security. They insisted that the hearings be made secret and closed to the press. The AEC reconfirmed the fact that the information was declassified and could be released. The government then, in a surprise move, Withdrew its objections to the pur-ported A-bomb sketches being made public. Morton So-bell's attorneys are scheduled to file for a new trial utilizing the affidavits of the two scientists. They are believed to be vitally important in clearing Sobell's name.

A number of books have been published concerning this trial. Among the latest is *Invitation to An Inquest* by Walter and Miriam Schneir—this publication has been a vital force in the latest attempt to free Sobell. Among other charges made in the book is the charge that an Albuquerque Hilton Hotel registration card may have been forged by the Federal Bureau of Investigation.

The card was the only documentary evidence indicating that Harry Gold, a principal prosecuting witness and confessed spy, was in Albuquerque at the time that he claimed to have received information from David Greenglass. Gold admitted creating numerous fantasies about his double life and he states in his testimony, "It is a wonder steam didn't come out of my ears at times." Just how much of Gold's testimony was a part of that fantasy world is an interesting question. The extensive harrassment of the FBI may have been responsible for the creation of Gold's and Greenglass' testimony since both men were prone to "creating" stories.

Soon the government will be faced with granting or refusing a new trial for Morton Sobell. It will be faced with a multitude of allegations regarding the veracity of the 1951 trial. The outcome will be extremely interesting because all former appeals for a new trial have been refused. Perhaps now it will be granted since from all appear-ances it seems that not only was the original trial grossly unfair and held in a prejudicial atmosphere, but that the Rosenburgs and Sobell were CONVICTED OF A CRIME THAT WAS NEVER COMMITTED.

Among those who have asked for Morton Sobell's freedom are Nobel laureates Dr. Martin Luther King, Lord Bertrand Russell, Jean-Paul Sartre, and Dr. Linus Pauling. A Committee to Free Morton Sobell has been formed and includes in its list of Honorary Sponsors: Reinhold Neibuhr, Pete Seeger, Prof. Anatol Rapaport, Rabbi Jacob J. Weinstein and others. The Committees address is 150 Fifth Ave., New York City 10011. Information on further developments in the case and copies of the Schneir's book-at \$5.95 may be obtained from the organization.

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