

On April 16, 1953, "L'OSSERVATORE ROMANO" published an elaboration of the Pope's statement. The first section dealt with the background of the Pope's appeal. The second section, titled "The Significance of an Intervention," is reprinted on the following pages.

The Significance of an Intervention

But neither the manoeuvres which the Communists are developing in favor of the Rosenbergs, nor the indignation of Americans for the betrayal by which they feel seriously threatened, could dissuade the Pope from his intervention.

It would wrong the consciousness which the Holy Father has of his divine mandate of mercy, and at the same time misunderstand the very great gifts of clear-sightedness recognized in him by the world's esteem, to believe that he, in his goodness, fell victim, as some would insinuate, to the insidiousness of the Communists through the appeals directed to him.

Not all the petitions addressed to his paternal heart were from Communists. The death penalty is an extreme remedy which, no matter what the crime it aims to punish, arouses in certain people a lively repugnance. More numerous even are those whose goodness of soul causes them to dwell on the pitiful aspects of a punishment rather than its necessity, however serious the crime that deserved it. Further, the case of the young couple sentenced to die together is so pitiful as to arouse sincere commiseration even in those not animated by any ignoble partisan interest in wanting to save their lives. In particular, that a woman should wait in a "death chamber" for the moment of execution is in itself an event as tragic as it is rare and is such as to arouse instinctively a sense of horror. When, then, two children, Michael 9 years old and Robert 5, are involved in this tearful fate, many hearts can be melted, before two little innocents on whose soul and destiny the death of their parents would forever leave sinister scars. No one can deny how this circumstance at least gives reason to the heartfelt insistence of the mothers

who wanted to bring their agonized pleas to the Vicar of Him who dearly loved children.

The Communists, who bear the full responsibility for this pitiful drama, wanted to use it as an expedient of their propaganda against the United States, claiming reasons of justice and humanity and rejecting the results of the trial. But this is no reason why the sad fate of the couple and their children should remain without an echo in the hearts of many and all the less so in the heart of the Holy Father.

He, weighing the miserable and fraudulent calculation of many who, being enemies of God, prove themselves the worst enemies of man, acted out of those feelings which while bearing witness to the merciful mission of the Pontificate, honor at the same time the human soul in the most sublime fashion.

Elevated to an office which puts him above differences which can divide peoples and individuals, Supreme Head of a religion erected on the law of love, representative on earth of Jesus who died forgiving his crucifiers, the Pope has received from God a law which is not that of common rulers. Father of all men, his appeal for the Rosenbergs, rendered more solemn by the suffering of the illness which struck him at that time, admirably fits in with the entire work of his Pontificate, which coincides with one of the unhappiest periods in all history.

Teacher and guide of the people, with the torch of Christ's doctrine, the Pope at the same time is perennially called from his sublime office to bow, as did Jesus, before the sufferings which afflict the human race in every age.

But divine Providence has shown that in this Pontiff particularly it wants a pious samaritan for the sorrows which in such large measure are and have been the tragic heritage of these years.

It was the Pontiff who tried every way to preserve the world from war; and who one day when he went forth in person among the ruins and blood shed by bombardments even around the Vatican, had already accomplished a tremendous labor to soften the frightful consequences of four years of war; writing indelible pages capable of redeeming partially at least the horrendous cruelty of the conflict. Pages that profoundly registered in the hearts of millions raised up by his sublime call to a more serene vision in an hour of darkness and sorrows and comforted in innumerable cases through the intervention of his charity.

It is not out of place to recall the work done by the Information Offices of the Vatican in response to the thousands of agonized requests that came to the Holy Father personally from all parts of the world; the visits to the P.O.W. camps of his representatives; the material and spiritual aids given to

thongs of sufferers. . . . At war's end, but his mournful balance not closed, there went the Pope, pursuing his unexhausted mission of mercy among the sick, the needy, the prisoners, the institutionalized, particularly the infants, who in more than one country suffered most and are still suffering from the dreadful effects of the war.

The whole Catholic Church with its central and peripheral organization, gave of itself in an immense and divine charitable undertaking, as is commanded by the spirit of its divine Founder, and which today stands forth luminously in the words and labor of the Vicar who represents Him on earth.

It is not by chance that the Holy Father's gesture in favor of the Rosenbergs falls in with the aid he sent in those same days to the unfortunate flood victims in England, Belgium and Holland.

This Pontiff, then, certainly had the right, by nature of his mission and his accomplishments, to exercise again an act of charity for which his paternal heart had been appealed to with so much insistence. Furthermore, the Holy Father was not performing an unusual gesture, even with respect to the particular character of the intervention in favor of the Rosenbergs. As a matter of fact, as *L'Osservatore Romano* recalled in the above mentioned communique, he "never refuses his interest when it is requested to save human lives, out of the higher motives of his apostolic ministry . . . as he has compassionately done in several other similar cases. . . ."

UNINTERRUPTED TRADITION OF CHARITY

The whole history of the Popes frequently speaks of their actions upon state authorities in behalf of men of every condition and faith. Not a small part of the immense and constant work of charity accomplished by the Pontiffs could come precisely under the heading of "humanitarian intervention."

Says an eminent scholar of international law: "The expression is derived from the modern diplomatic practice which recognized, especially in the last century, various cases of this species of intervention, celebrated as one of the major conquests of our time, and as one of the ways the modern sense of humanity manifests itself." Now, continues this illustrious jurist, "in no epoch has this humanitarian intervention used by states had so energetic forms or was used so frequently" as by the Popes "in remote medieval times."

And from then on it has never been less, while in these last years it has shone with singular splendor in the Pontificate of Pius XII.

Newspapers and periodicals have tried to give some indications of this. Still the few lines remained inadequate to the argument which demands another development. Even our brief and inorganic illustrations lift only a corner of the veil discreetly extended over how much the Supreme Pontiff accomplished during the conflict on this question.

Several examples chosen among many constitute a glorious and imposing documentation, to which are added many more when the tragic fate of Italy and the greater facility for reaching the Holy Father were such that He received numerous appeals in behalf of unhappy victims of capital punishment at the hands of German and Fascist authorities. Previously the Holy Father's interventions had become so frequent and so pressing as to induce the German Ambassador to the Holy See to express a hope that intercessions on behalf of those condemned by the military authorities be reduced.

The Holy See answered him that "we cannot avoid (when it seems opportune to do so) invoking clemency from the competent authorities even if it be annoying or superfluous to do so."

These interventions do not counter, but instead fall in with the just and necessary equilibrium of the functions of higher personages in whose hands rest the fates of peoples and individuals.

There are judicial and executive powers in the high administrations of nations; but there are also moral powers which, if they cannot rigorously appeal to the Right, can claim a sacred majesty from the splendor of Science, the value of notable personal merits, the nobility of proven sentiments, the august dignity of a religious mission. To some, God has entrusted the scales of justice defended by the sword; to the others, He has commissioned the part of moderator and illuminator, which would be too short-sighted not to take into consideration.

Coming to the intervention of the Holy Father in behalf of the Rosenbergs, it was not intended to be and was not an undue interference in the domestic affairs of another power, nor an invasion of its authority. Better than everyone, the Pontiff knew the limits within which he had to keep by virtue of his ecclesiastic and international prerogatives. If one consider it well, the Pope did not make a formal appeal in favor of the Rosenbergs; he pointed out to the American government that many demands were made upon him to intercede for their salvation. Presenting his discreet but nonetheless eloquent appeal, which carried the weight of his august personality, the Holy Father declared that he was not entering into the merits of the case. With this, his intervention had nothing in common with the campaign artificially unleashed by the Communists, who without qualification labeled the Rosenbergs' sentence illegal and unjust, substituting themselves for the courts which had examined the Rosenbergs' faults. It was not for the Pope to pronounce himself on the merits of the accusations, or on the exigencies of a procedure which seemed to have been scrupulously observed, or on the testimony, or the ratio of the crime to the punishment. All the more so in a trial which had the concurrence of the great majority of citizens not only in America but out of it; and was such that, outside of a few sporadic criticisms, it was not

easy to find a single one of those evident characteristics which distinguish trials in Communist countries, particularly against the Catholic clergy and Bishops. The Holy Father did not pose a single doubt or raise a single suspicion on this score.

Apart from the conclusions of the judges and the deliberation of the powers called in final petition for a verdict on the commutation, he made a plea for mercy. It was up to the Head of the State, to whom the case was brought, to consider the solemn appeal in the comprehensive examination of all those motives which not for the only time in history, have induced a ruler to overcome with clemency the rigid confines of justice. If, in spite of this, the President did not see fit to grant clemency, the Supreme Pontiff did not intend to question who was to decide judgment, taking into account all the aspects of this sad case.

Neither in taking his step did the Holy Father deny, as was inconsiderately reproached him, the right of peoples to defend themselves against the insidiousness of internal enemies who today in no small measure try to open the road to outside enemies. It is well known, furthermore, that the Catholic Church does not condemn in principle the death sentence, the extreme punishment which certain crimes can demand when they seriously threaten the common welfare.

INCOMPREHENSIBLE SECTARIANISMS

These obvious considerations were not understood by everyone.

One must read with horror certain sharp words of those who wished that night should give no peace to him who contributed to changing the course of justice already pronounced on the two prisoners. The Christian, placed before the raw decisions of courts, even when he approves of them and demands them, knows how to find in his heart and in his religion a sentiment of compassion for him who, having sinned, must now suffer the punishment, no matter how just for his misdeeds. He himself, with all the esteem he may be held by his fellowmen, knows that he has more need of mercy than justice before God. Therefore, not with the diabolical yearning for vendetta, but with regret that others, having been found wanting, must expiate, does Man, and more so, a Christian, accept and when necessary, demand that justice fulfill its hard function.

It is again displeasing that in the intervention of the Holy Father, some should pretend to see an intrusion of a "foreign citizen." The Holy Father is a sovereign and in this case appeared the more majestic in that, divested of any national particularity, he became a herald of a principle which transcends particularistic regions and touches the highest summit of the Christian and human spirit.

Thus he was not a foreign citizen when he, without regard to nationality or politics, nor questioning the demands of military codes, shunned the fear that his steps might be misinterpreted and permitted himself to ask many times for an act of clemency in order to save a human life.

The reproach to the Holy Father that he was being indulgent to Communists in intervening in behalf of the Rosenbergs and the reminder that Communism is inhumanly persecuting Cardinals, Bishops, Priests, Monks, and Nuns, was out of place. This was an unjust and irreverent act, for in no other heart does the painful fate of the persecuted of Christ echo as much as in the heart of the Holy Father; nevertheless, feeling the sufferings of so many oppressed ones, it is not forbidden one who is the repository of universal fatherhood to make a merciful gesture for whoever suffers under the burden of sorrow, be they innocent or guilty.

There were those who wished to stir up dissension between Catholics and Protestants on a sectarian basis for an act which is evident from its nature to be above all divisions, when the discreet limits to which the appeal confined itself should have found agreement from those who worship the same God.

Finally, it is most inopportune to claim the separation of Church and State existing in the Republic, in order to reject the Holy Father's plea. Not only was this plea addressed precisely to the advantage of two non-Catholics, but it, though not taking account of the theological reasons that flowed from the religion which the Roman Pontiff heads, had its moral justification for the appeals made to the highest principles of humanitarianism; an historical coherence conforming to thousands of years traditions among the civilizations of peoples, a precise and solid juridical foundation in the diplomatic customs of many centuries, concretized in institutions conferring on all the right to humanitarian intervention.

Thus the appeal of the Holy Father, far from causing even a minimum harm to the majesty of civil power and the cause of justice, highly honored them, both by its call to the noble sovereignty of mercy, and by the dignity of its noble intercessor.

There is no doubt that when history returns to this episode, it will seal with a word of highest praise the magnanimous gesture of the Supreme Pontiff.

Reprinted as a Public Service by the

National Committee to Secure Justice in the Rosenberg Case
1050 Sixth Ave., New York 18, N. Y. LO 4-9585

FOREWORD

On February 13, 1953, *L'Osservatore Romano*, official newspaper of the Vatican, made public a message of Pope Pius XII asking that clemency be granted Julius and Ethel Rosenberg. The paper said:

"Certain newspapers have called the Holy Father to account concerning the fate of the Rosenbergs, as if he had remained unmoved by the various pleas addressed to him to intervene in their favor. Now it is well to know that His Holiness, even though unable to enter into the merits of the case, never refuses his interest, whenever it is a matter of saving human lives, out of the high motives of charity appropriate to his apostolic mission; and as he has done compassionately in several other similar cases, so also in this one he has not failed to intervene, as much as it was permitted him in the absence of any official relations with the competent Government authorities."

Since the intervention of the Vatican had not been made public by the U.S. government, many requests for clarification came to the Apostolic Delegation in Washington. The delegation issued the following statement, also on Feb. 13:

"At the request of the Holy See, the Apostolic Delegation communicated last December to the American Department of Justice that the Holy Father had received numerous and urgent appeals to intervene in favor of Ethel and Julius Rosenberg; appeals which His Holiness, without being able to enter into the merits of the question, felt it opportune out of the charitable purposes of his Apostolic Office, to bring to the knowledge of the U.S. civil authorities."

The same evening, the Pope sent another message, this time making certain it was handed to the President. The Apostolic Delegate stated in a letter to Sherman Adams, assistant to the President:

"Furthermore, I am asked by the Holy See to inform the competent U.S. authorities that many more requests have been received by the Vatican asking the Holy Father to intercede for clemency for the Rosenbergs; and that left-wing newspapers continue to state that His Holiness has done nothing. I shall be most grateful to you if you will kindly notify the President of this."

The entire world was stirred by the appeals of the Vatican for clemency.

On April 16, 1953, *L'Osservatore Romano* published an elaboration of the Pope's statement in a lengthy article signed by P. F. Cavelli, S. J., and prepared for *La Civiltà Cattolica*. The first section dealt with the background of the Pope's appeal. The second section, titled "The Significance of an Intervention," is reprinted on the following pages.

GIORNALE QUOTIDIANO POLITICO RELIGIOSO UNICUIQUE SUUM NON PRAEVALEBUNT

CITTA' DEL VATICANO

L'OSSERVATORE ROMANO - 10 April 1953 - N. 15 (1541) - 100 L.

DOCUMENTAZIONI

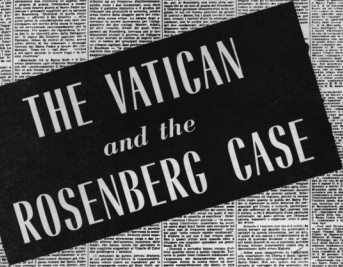
A proposito del caso Rosenberg

La Chiesa Cattolica, sempre dal 1947 che...

Il primo documento che viene in luce...

una volta che esamineremo con calma questi...

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Un momento dell'Osservatore Romano...

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Un momento dell'Osservatore Romano...

Un momento dell'Osservatore Romano...

La Croce sul paesaggio dei fiorenti

In questo 1953 del Festival di S. Spirito...

In questo 1953 del Festival di S. Spirito...

THE ELECTRIC CHAIR CAN'T KILL THE DOUBTS IN THE ROSENBERG CASE

- Two sensational documents just revealed show that Ethel and Julius Rosenberg were sent to the Death House on the word of a liar.
- One document is written by David Greenglass, chief witness against the Rosenbergs. Greenglass, in handwriting verified as his own by one of the nation's leading experts, flatly contradicts his own testimony at the trial and admits he lied to the FBI. Here are examples:

In court Greenglass swore that confessed spy Harry Gold was sent to him by Julius Rosenberg. In the document Greenglass admits he doesn't know who sent Gold to him.

Greenglass told the FBI he gave Gold vital atomic secrets. But, in the document describing his statement made to the FBI, he confesses: "I can honestly say the information I gave Gold may be not at all what I said in the statement."

- A second document, a lawyer's memorandum based on an interview with Ruth Greenglass, the wife of David, reports her description of her husband as follows:

"As to her husband, she stated that he had a 'tendency to hysteria'. At other times he would become delirious and once when he had the grippe he ran through the hallway, shrieking of 'elephants,' 'Lead Pants'.

"She had known him since she was ten years old. She said that he would say things were so even if they were not. He talked of suicide as if he were a character in the movies but she didn't think he would do it."

**THIS IS THE MAN ON WHOSE WORD THE ROSENBERGS ARE TO DIE.
DON'T LET THEM DIE ON THE WORD OF A LIAR.**

Write and Wire President Eisenhower:

CLEMENCY FOR THE ROSENBERGS

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THE NEW YORK TIMES, TUESDAY, JANUARY 13, 1953.

EINSTEIN SUPPORTS ROSENBERG APPEAL

Prof. Albert Einstein, the venerable mathematician who lives in Princeton, N. J., announced that he had written the President Monday asking for mercy. His note said:

"Dear Mr. President:
"My conscience compels me to urge you to commute the death sentence of Julius and Ethel Rosenberg."

"This appeal to you is prompted by the same reasons which were set forth so convincingly by my distinguished colleague, Harold C. Urey, in his letter of Jan. 5, 1953, to THE NEW YORK TIMES.

"Respectfully yours,
"ALBERT EINSTEIN."

Dr. Harold C. Urey, Nobel Prize Winner and renowned nuclear scientist

TO THE EDITOR OF THE NEW YORK TIMES:

After reading the testimony of the Rosenberg case I find that I cannot put to rest my doubts about the verdict and wish to cite the following points:

(1) Max Elitcher's testimony is of doubtful value. He says that he and Julius talked about espionage but never transferred any information for some five years. This doesn't seem probable to me.

(2) No certain conspiracy between Sobell and Rosenberg is established.

(3) The connections to others than Ruth and David Greenglass are not established. Miss Bentley was unable to identify the telephone voice that said, "This is Julius" with the voice of Julius Rosenberg. If "Julius" did not refer to him in this case, it probably did not when Harry Gold said, "I came from Julius" when he met Greenglass in New Mexico. From Gold's testimony it seems that he knew nothing of Rosenberg at all. It seems unbelievable to me that the name of an arch conspirator would be used in such identification phrases.

(4) No contact between the Rosenbergs and Anatoli A. Yakovlev is established.

(5) The Government's case rests on the testimony of Ruth and David Greenglass. He had pleaded guilty, but had not been sentenced and hoped for clemency. She has never been charged and tried, obviously it seems as a reward for her testimony. A family feud between the Greenglasses and Rosenbergs existed because of a business alteration. The Rosenbergs' testimony flatly contradicted that of the Greenglasses.

Testimony of Rosenbergs

I found the Rosenbergs' testimony more believable than that of the Greenglasses, although I realize that I have not had the jurors' advantage of hearing and seeing the witnesses. Is it customary for spies to be paid in wrist watches and console tables? Greenglass and Fuchs were paid in cash. The Rosenbergs appear to have been as poor as churchmice and the statement that Julius was spending \$50 or \$75 a night in night clubs seems to me to be a very doubtful one. Had he done this, he would have been obviously and unaccountably rich to all his associates.

However, even if the verdict is correct, I am amazed at the unequal punishment for the same crime. For the very same conspiracy Ruth Greenglass

was never brought to trial, though she admitted her guilt on the witness stand; David Greenglass got fifteen years; Morton Sobell and Harry Gold got thirty years, and Ethel and Julius Rosenberg got death. Only the last two took the witness stand and maintained their innocence. If capital punishment is to be given in the future for espionage I should like to have it introduced in a case for which the evidence rests on the testimony of witnesses who did not stand to profit from their testimony. I do not regard self-confessed criminals as reliable witnesses.

We are engaged in a cold war with the tyrannical Government of the U. S. S. R. We wish to win the approval and loyalty of the good people of the world. Would it not be embarrassing if, after the execution of the Rosenbergs, it could be shown that the United States had executed two innocent people and let a guilty one go completely free? And, remember, somewhere there is a representative of the U. S. S. R. who knows what the facts are.

I strongly urge a careful reconsideration of this sentence.

HAROLD C. UREY.
Chicago, Jan. 3, 1953.

Issued by: National Committee to Secure Justice in the Rosenberg Case

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PARENTS TO DIE ON WEDDING ANNIVERSARY ROSENBERG CHILDREN PLEAD WITH PRESIDENT



ROBERT AND MICHAEL ROSENBERG

Dear President Eisenhower,
I saw on television on Monday
Mr. Oatis is not in prison anymore
because the President of the country
let him go. It said his wife wrote
a letter to the President over there
and she told why Mr. Oatis
should be let go. I think it
is a good thing to let him go
home because I think prison is
a very bad place for anybody to
be.

My mommy and daddy are
in prison in New York. My
brother is six years old his
name is Robby. He misses them
very much and I miss them
too. I got the idea to write
you from Mr. Oatis on television.
Please let my mommy and
daddy go and not let any
thing happen to them. If they
come home Robby and I will be
very happy we will thank
you very much.
Very truly yours,
Michael Rosenberg

Letter Sent to
President Eisenhower
May 20, 1953

Write and Wire President Eisenhower:
CLEMENCY FOR THE ROSENBERGS

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The Electric Chair Can't Kill the Doubts in the Rosenberg Case

President Eisenhower CAN and MUST Reconsider

His Decision to Let the Rosenbergs Die!

THERE IS DOUBT in the case: The U.S. Court of Appeals called the prosecutor's conduct "reprehensible."

THERE IS DOUBT in the case: The FBI admitted on Dec. 1 that it helped an important witness lie under oath!

THERE IS DOUBT—Chief Justice James Wolfe of Utah, Judge Norval K. Harris, and other eminent judges and lawyers say that the Rosenbergs did not get a fair trial!

THERE IS DOUBT—great scientists like Albert Einstein and Harold Urey say they believe the Rosenbergs rather than the Greenglasses and other government witnesses.

THERE IS DOUBT—the Rosenbergs maintain to this very day that they are innocent!

We Appeal to Your Conscience —

THEY MUST NOT DIE WHILE DOUBT REMAINS

Write - Wire President Eisenhower to Reconsider! Commute the Death Sentence!

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