

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PETITION OF NATIONAL SECURITY))
ARCHIVE, AMERICAN HISTORICAL))
ASSOCIATION, AMERICAN SOCIETY OF LEGAL)) Miscellaneous Action
HISTORY, ORGANIZATION OF AMERICAN))
HISTORIANS, SOCIETY OF AMERICAN))
ARCHIVISTS, AND SAM ROBERTS))
FOR ORDER DIRECTING RELEASE OF))
GRAND JURY MINUTES))
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DECLARATION OF KATHERINE A. S. SIBLEY

I, Katherine A. S. Sibley, hereby state as follows:

1. I am currently Professor and Chair of the History Department at St. Joseph's University, specializing in American foreign relations, U.S. intelligence history, and American women's history. I began my career as a professor of History at St. Joseph's University in 1991, and I also served as Director of American Studies from 1999-2004. I submit this declaration in support of the petition to unseal the grand jury records relating to the indictment of Julius and Ethel Rosenberg.
2. I am author of Red Spies in America (University Press of Kansas, 2004), which discusses Soviet espionage in America in the pre-Cold War period, and of The Cold War (Greenwood Press, 1998), which provides a comprehensive overview of the Cold War. I am also the author of several articles on Soviet espionage and American counter-intelligence, including "Soviet Military-Industrial Espionage in the United States and the Emergence of an Espionage Paradigm in U.S.-Soviet Relations, 1941-1945," American Communist History 2 (Summer 2003) and "Soviet Espionage Against American Military-Industrial Technology and the U.S. Response, 1930-1945," Intelligence and National

Security 14 (Summer 1999). In addition, I have delivered many conference papers on Soviet espionage occurring before and during World War II.

3. The Rosenberg case was a pivotal moment of the Cold War era. Not even the Alger Hiss case, for which the grand jury proceedings were recently opened, can match the Rosenberg case for its historical resonance and continued scholarly interest. While Alger Hiss was imprisoned for several years for a perjury conviction, he eventually regained standing in the community and even recovered his license to practice law. The Rosenbergs, however, were executed. The Rosenbergs are still the last spies to be executed in the United States, even though several other U.S. citizens have been convicted of espionage since 1953 and the federal government currently claims the power to issue the death penalty for espionage. These facts make the Rosenberg case a uniquely compelling event in Cold War history.

4. For academics, the Rosenberg case holds a critical place in the modern American history canon. Many scholars' careers have been defined by their opinions on the Rosenberg case. For example, Ronald Radosh, a liberal historian, became an academic pariah overnight when he published The Rosenberg File, which argued from newly available evidence that the Rosenbergs were guilty of espionage. While most historians now agree that Julius Rosenberg was guilty, the questions of Ethel's involvement and of the importance of the information passed to the Soviets continue to spark heated debate among scholars.

5. Historians have long been forced to rely on an incomplete primary source base in their studies of the Rosenberg case. For example, much of what is known about the information that the Rosenbergs passed to the Soviets, especially from key military-

industrial contacts like Joel Barr and Alfred Sarant, is based on the statements of Alexander Feklisov, published in his memoirs, The Man Behind the Rosenbergs.

Feklisov was purportedly the Rosenbergs' Soviet handler; however, his claims have been left uncorroborated and his statements may be self-serving. The release of the grand jury records would likely shed light on the actual importance of the information passed to the Soviets, thus resolving one essential question still surrounding the Rosenberg case.

6. As noted above, historians are also divided as to the extent of Ethel Rosenberg's involvement in espionage. While the statements of witnesses at the trial indicated that Ethel was a typist for Julius, transcribing the information received from their inside contacts, it is unclear whether these witnesses were truthful. Furthermore, even if Ethel was involved to that extent, her role as clerical assistant is hardly justification for the death penalty. Alger Hiss's wife was fingered as the typist for the information he passed to the Soviets, and she was not even prosecuted. And as far as the Rosenberg case is concerned, another wife, Ruth Greenglass, had admitted she was much more involved than Ethel was, but seems to have been treated leniently in exchange for her husband's contribution to the prosecution's brief. Given Ethel's multiple appearances before the grand jury, it is likely that the grand jury records will help clarify the actual extent of Ethel's involvement in any espionage activities.

7. In addition to these factual issues surrounding the Rosenberg case, I have a particular professional interest in the gender issues raised by this case. As a scholar of American women's history, I have long been intrigued by the impact of Ethel's gender on the outcome of the case. Historians have suggested that the government relentlessly prosecuted Ethel in order to pressure Julius into pleading guilty and providing

information on the spy ring. However, when neither Julius nor Ethel caved to the pressure, the government did not spare Ethel from the electric chair, despite the lack of certainty as to her guilt. Some historians have reported that President Eisenhower ignored Ethel's pleas for clemency, instead using Ethel as an example to prove to the Soviets that they could not, with impunity, use American women to support their espionage.

Alternatively, some of Ethel's contemporaries believed that she was the engineer of the spy ring, and that Julius was protecting *her* with his silence.

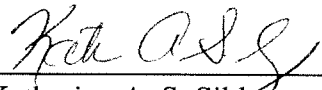
8. These varying conceptions of Ethel as a tool to be implemented against Julius or against the Soviets as well as an "evil mastermind" of the spy ring indicate that Ethel's gender played a role in her treatment at trial. Elizabeth Bentley, the "Red Spy Queen" who revealed the identities of many alleged Soviet agents in the late 1940s and early 1950s, gained a similar, gendered reception: seen as either a scheming spinster or a hysterical harridan, in either case she was viewed with extreme suspicion by contemporaries—as well as historians later. During the early Cold War, women involved in Soviet espionage straddled a dangerous fence between the powerful, male-dominated world of espionage and the delicate, submissive world of 1950s femininity. The grand jury records will likely display the interplay between these roles, and they may reveal the impact that the 1950s conception of proper femininity had on Ethel's conviction.

9. Thus, I support the petition to unseal the Rosenberg grand jury records. These records, over a half-century old, may clarify many murky details still surrounding the Rosenberg case. If the records are released, I plan to use them to write a scholarly article on the gender assumptions at play in Ethel's prosecution and conviction. In addition, I hope to use the information gleaned from the records to accomplish additional research

on the final questions surrounding the Rosenberg case, including the extent of Ethel's involvement and the importance of the information passed to the Soviets. I am confident that the release of these records will result in many scholarly publications and debates, increasing the public's understanding of this critical Cold War event.

10. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing information is true and correct.

Executed in Philadelphia, Pennsylvania, on this tenth day of December, 2007.



Katherine A. S. Sibley