

Recently released FBI files on ACLU General Counsel Ernst reveal he betrayed the Rosenbergs

Recently released FBI files reveal that the ACLU betrayed the Rosenbergs while pretending to defend them. ACLU General Counsel Morris Ernst, while legally and morally committed to providing client confidentiality and an adequate defense of the Rosenbergs was providing confidential information to the FBI. The FBI was so concerned by Morris Ernst's behavior that it refused to provide any information regarding the case to the ACLU General Counsel.

Julius and Ethel Rosenberg, despite the urging of family members, would decline Morris Ernst's pitch to represent them, but would make a mistake that would ultimately prove fatal. They would select another ACLU attorney, O. John Rogge. Rogge was the same man that noted communist, actor Paul Robeson would identify as a spy for Stalin. Rogge denied the charges, but did admit to being a paid agent for Communist leader Tito of Yugoslavia. Tito had kept the Balkans together the old fashioned way; at the point of a gunbarrel.

While KGB files released since the 1990's reveal overwhelming guilt on their part, the FBI files reveal that they never got a fair trial; they would be the only Soviet spies executed for their crimes. More troubling is that the full body of evidence seems to indicate that Stalin wanted them dead. Was the ACLU doing Stalin's bidding? The ACLU attorneys completely failed to defend the Rosenbergs. Once they were exposed, the Rosenbergs were nothing but a liability for Stalin. Finding out their mental state of mind was important to Stalin, and ACLU attorneys provided that intelligence for Stalin. Both Rogge and Ernst were given direct access to the Rosenbergs.

KGB files indicate that Stalin wanted to silence the American Communist Party. He did not want fools marching in the streets, drawing attention to communist activities; he wanted a tight knit group of paid professionals whose sole purpose was obtaining America's secrets. No idealists need apply. Ethel and Julius Rosenberg's spy network was far bigger than what US intelligence officers believed, and Stalin wanted to protect it. The Rosenbergs simply knew too much, far more than other spies usually knew, because they had worked to develop their network over a period of many years. Most spies know little about what other agents are doing, so they would not be in a position to reveal other operations. It was not until western researchers were allowed access to the KGB files that the true extent of the Rosenberg Spy operation was revealed.

For civil libertarians, the fact that famed ACLU attorney Morris Ernst was leaking defense information to the FBI even before he was selected as their legal representative, should provide a chilling reminder that a 'civil liberties watch' cannot be delegated. Sending in a thirty dollar contribution does not buy you freedom. Even more chilling is that Ernst was not a rogue ACLUer. The Rosenbergs were driven into the arms of another ACLU attorney, O. John Rogge. Rogge, the special prosecutor selected by FDR to prosecute the Sedition Trial of 1944, would now represent the Rosenbergs. The musical chairs of who would represent the Rosenbergs would continue, as Rogge would move over to represent He would completely fail to provide and honorable defense. Another miscarriage of American justice would occur and it would cost the American taxpayer dearly. Had the Rosenbergs lived, it is entirely possible that they would have confessed,

and exposed their extensive spy network that remained hidden until KGB files were opened. It appears that the ACLU worked overtime to make sure the songbirds did not sing.

On 12/19/52, Morris Ernst called the FBI and informed Deputy Director Clyde Tolson that Julius Rosenbergs' two sisters and brother had been to see Ernst on two occasions, and wanted Ernst to intercede in the Rosenberg Case. Ernst indicated that their current attorney, Bloch was entirely amenable. Ernst asked the FBI to provide him information on the Rosenbergs, but the FBI refused.

Again on 1/9/53, Ernst called the FBI and again went into the Rosenberg Case and stated he was "willing to get involved solely for the purpose of being able to get to talk to the Rosenbergs and possibly get them to talk". Ernst indicated to the FBI that attorney Bloch put him off, and he was convinced that Bloch wanted the Rosenbergs executed. Ernst seems determined to get access to the Rosenbergs either through Bloch or the FBI, but it appears that both avenues have been blocked, no pun intended. The FBI would refuse to provide Ernst with any information on the case, and Attorney Bloch obviously had no interest in Ernst's involvement despite his earlier claims to the FBI.

FBI files show Ernst as blaming Bloch for wanting the Rosenbergs executed, yet Ernst appears to be hyperventilating about the case. In any event, Bloch would be eased out, and ACLU attorney O. John Rogge would step in to represent them. The ACLU push to represent the Rosenbergs would succeed to the detriment of the Rosenbergs. True believers until the end, one has to wonder if the real reason that the ACLU push to represent them was to read their state of mind. Were they willing to take a bullet for Stalin? Stalin had some powerful friends on the ACLU Board. Roger Nash Baldwin, Director, had accepted one million dollars from Stalin in the Kuzbas Commune Case in 1923. His confession of that financial relationship rests in the Columbia University Oral History Project. Once Stalin had you on a string, it was very difficult to cut the tie. One million dollars is not what it used to be. By today's standard, it is worth \$8 million dollars. Baldwin would never have to work again, and would retain his sinecure at the ACLU by claiming he was so dedicated, he would work for no salary. The ACLU membership would not be told that Ernst and others were laundering millions through private law firms, yet the major players on the national board were well aware of the back room deals.

When the music finally stopped, Bloch would be back in charge of defending the Rosenbergs, and Rogge would then represent their nephew, David Greenglass. The Rosenbergs were now in a very vulnerable position, since Rogge would get David Greenglass to testify against their aunt and uncle. Liberals would now turn on Rogge, castigating him for selling out, when KGB files simply indicate that Stalin got what he wanted; a chance to silence the Rosenbergs. By then, Rogge knew every nuance of the defense.

Corliss Lamont, long time ACLU board member, and son of J.P. Morgan partner Thomas Lamont, was revealed as a KGB agent with the opening of the KGB files. Paul Robeson, a proud American Communist would charge that O. John Rogge was a spy for Stalin. The ACLU succeeded in their goal of engineering the defense of the Rosenbergs, and it is highly likely that Stalin knew every move of the defense team, and certainly must have known, minute to minute, of the state of mind of the Rosenbergs. They remained true believers to the end, and that is all that Stalin needed to know.