

THE WHITE HOUSE
WASHINGTON

June 10, 1953.

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Dear Clyde:

Thank you very much for your thoughts on the Rosenberg conviction. It is extremely difficult to reach a sound decision in such instances. Not all the arguments are on either side.

I started studying the record of the case immediately after Inauguration, and have had innumerable conferences on it with my associates.

Several of the obvious facts which must not be forgotten are these. The record has been reviewed and re-reviewed by every appropriate court in the land, extending over a period of more than two years. In no single instance has there been any suggestion that it was improperly tried, that the rights of the accused were violated, that the evidence was insufficient, or that there was any factor in the case which justified intervention on the part of the Executive with the function of juridical agencies.

As to any intervention based on considerations of America's reputation or standing in the world, you have given the case for one side. What you did not suggest was the need for considering this kind of argument over and against the known convictions of Communist leaders that free governments -- and especially the American government -- are notoriously weak and fearful and that consequently subversive and other kind of activity can be conducted against them with no real fear of dire punishment on the part of the perpetrator. It is, of course, important to the Communists to have this contention sustained and justified. In the present case they have even

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stooped to dragging in young and innocent children in order to serve their own purpose.

The action of these people has exposed to greater danger of death literally millions of our citizens. The very real question becomes how far can this be permitted by a government that, regardless of every consideration of mercy and compassion, is also required to be a just government in serving the interests of all its citizens. That their crime is a very real one and that its potential results are as definite as I have just stated, are facts that seem to me to be above contention.

Another factor that appeals, quite naturally, to Americans is that one of these criminals -- indeed the more strong-minded and the apparent leader of the two -- is a woman. But the question presents itself -- if the Executive should interfere because of this fact, would we be justified in encouraging the Communists to use only women in their spying process?

I assure you that I appreciate receiving your thoughts on the matter. You not only have the right of any citizen to submit your suggestion, but, of course, our old friendship at Columbia assures that I would give special attention to your convictions. But when it comes to the decision to commute such a sentence -- which would mean that these arch criminals would be subject to parole at the end of fifteen years -- I must say I have not yet been able to justify such an action.

I have answered your letter at some length, because I know that you wrote it out of a deep sense of duty and friendship. I realize that your desire to protect America is as great as mine, but I doubt that you have had to consider some of the results that could spring from the action you recommend.

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We shall, of course, have another clemency petition presented this week, from which we will see whether there are additional considerations to take into account.

With personal regard,

Sincerely,



Professor Clyde Miller
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