Two professors to assist in Sobell's defense

In conjunction with three other prominent scientists, two MIT professors, Charles D. Coryell, chemistry, and Bernard T. Field, physics, and historian Mortin Sobell in his attempt to have his 1951 conviction reviewed by the Supreme Court. He was convicted in the sensational Rosenberg case for conspiring to spy for the Russians.

The three other scientists include William A. Higinbotham, head of the instrumentation division of the Brookhaven National Laboratory; Eugene Rabinowitch, a physical chemist and professor at the University of Illinois, co-founder and editor of the Bulletin of Atomic Scientists; and Seth H. Nedermeyer, professor of physics at the University of Washington, Seattle.

The friend-of-the-court brief requesting a reconsideration of the Sobell case indicates a growing belief that the information passed on by the Rosenbergs was of little value. Significantly, all of the scientists except Rabinowitch played essential parts in the development of the atomic bomb, making their opinions of at least of some little value.

The case of the government in 1951 had the documents revealing the secret of the atomic bomb. The five protested this contention.

Set in the atmosphere of much surface and implied publicity, the Rosenberg espionage case attracted worldwide attention, especially upon Rosenberg's execution in 1953. Sobell, although a member of the spy ring, was convicted for such and sentenced to 30 years in prison.

Aware of the political significance of the controversy, the scientists wrote:

"The historic political significance this case has taken on may not entitle Professor Sobell to any favors from the law. It is important that it not be used peremptory by the government to any extension of power ."

The scientists in their brief raised the question of a duality existing in this case, whether a discrepancy existed between the actual scientific evidence and the way the prosecution presented such evidence in court.

The case "asks whether there are any constitutional limits on the calculated exaggerations of the prosecutor, at least in capital cases which have an overture of treason."

Since a precedent has been set in a line of cases dating back to 1935 where the Court has considered "prosecutor decency," the scientist believe that the Sobell conviction affords the court an opportunity to discriminate clearly between permissible rhetoric by the prosecutor and the conscious creating of a false and prejudicial image.

The possibility of overstatement by the government precipitates the probability of a reversal of the first court decision. To strengthen the scientists' case, a Supreme Court decision of a few months ago was cited in which "this court reversed a murder conviction where the prosecutor had displayed to the jury a pair of paint-stained shorts which misrepresented the paint stains."

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