

Manhattan Project Spies and Oak Ridge, Part 3

(As published in *The Oak Ridger's Historically Speaking* column on December 22, 2014)

As is often the case with *Historically Speaking* I have had a number of very interesting contacts since the first article of this series published. I have also purchased the March 13, 1950, edition of *Time* magazine which contains a report of the Klaus Fuchs trial in Great Britain. The best contact on Klaus Fuchs came from my good friend, John Iacovino, who wanted to share his "contact" with Klaus Fuchs, even if it was after Fuchs was in prison.

John arrived in Oak Ridge in 1957 to a job as a Nuclear/Chemical engineer at the K-25 Gaseous Diffusion Plant. He knew of Klaus Fuchs and was aware he had been arrested and placed in prison in Great Britain. John knew the connection with Fuchs and other spies such as Julius and Ethel Rosenberg, who were most notable as they were executed in June, 1953. Also well known then was Harry Gold who had been a contact for Fuchs and David Greenglass who was connected to the Rosenbergs.

John also knew that Fuchs was born in Germany, went to England to flee Nazi persecution, became a physicist, worked with the British scientists and came to the US without ever being "cleared" by our authorities. Neither was he investigated by the British, although his past actions would have been easily learned if either country had done even a rudimentary investigation into his association with Communism. So imagine John's sense of heightened intrigue when, "a few months later, I got to know a whole lot more about him as a scientist."

John continued, "One of my first assignments was to research the existing classified documents for possible improvements to the upper most portion of the cascade, K-306-7 sections, and prepare them to possibly separate other metal isotopes, e.g. Molybdenum which would be useful to a NASA project to construct a nuclear reactor second stage propellant system for long range flights."

"One of the first very pertinent Top Secret documents that I studied was authored by Fuchs. In it he outlined easily added modifications to the gaseous diffusion process that would dramatically improve production efficiency.

"It really stunned me, as a 23 year old working and being involved in the daily withdrawal of the total US production of purified U-235 and transmitting those numbers by special telephone using a code identification, that Fuchs knew not only everything about our production capabilities, but also what could be done to improve it.

"I came to the conclusion that security depended on the integrity of all the people you employed more than the restrictions imposed.

John added as a postscript to his email to me on Fuchs, "I also had another work experience of determining the size of an unknown gaseous diffusion plant just from aerial photographs. After a week with a few other engineers, we did it and wondered where the pictures came from, but were not told. A few months later the U-2 piloted by [Francis Gary] Powers was shot down, and I surmised that his earlier flight had obtained the photographs.

The March 13, 1950, *Time* magazine contains a description of the British court where, "...England's Lord Chief Justice, Lord Goddard, robed in icy dignity and a scarlet gown entered the oak-paneled courtroom of the Old Bailey." He was there to render judgment on Klaus Fuchs, notable atomic bomb spy that was an embarrassment to the good Lord's nation, Great Britain.

The proceedings began when the court clerk "solemnly read the indictment accusing Fuchs of communicating 'to a person unknown information relating to atomic research...directly or indirectly useful to an enemy.'" To this charge, Fuchs whispered, "Guilty."

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"My Lord,' began the Prosecutor, Attorney General Sir Hartley Shawcross...'This is a case of the utmost gravity...The prisoner is a Communist, and that is at once the explanation and indeed the tragedy of this case...' He then proceeded to relate the story Fuchs had told in his confession.

Shawcross told the Lord Goddard, "Fuchs had decided to stop being an open Communist and had gone underground. It was the morning after the Reichstag fire in 1933, when the Nazis declared open season on Communists (whom the falsely accused of setting the fire)."

The *Times* article notes that Lord Goddard, "...opened the small silver box and took a pinch of snuff." It was about at this time that the prosecutor concluded his remarks by saying, "It should perhaps be said that this man's confession was made while he was still a free man able to come and go as he chose and consult with friends and lawyers."

The defense recounted Fuchs' youth in Germany and his "controlled schizophrenia" meaning one-half of his mind was Communist and the other half supposedly loyal to Britain. Lord Goddard snapped that he could not understand such strange talk.

The *Times* report states, "The thing that stirred Lord Goddard, and really all of Great Britain, most was the defense counsel's calm statement that Fuchs had been a 'known Communist,' that his record in the Home Office said clearly that Fuchs had been a member of the Communist Party in Germany. Prosecutor Shawcross lamely admitted that this was true."

When "called on" Fuchs read a statement in a high, tinny voice said to be "barely intelligible underneath his heavy German accent." He concluded his statement by proclaiming "I have had a fair trial" and he thanked Lord Goddard. At this point the *Times* reports that Lord Goddard leaned forward on his bench and a "chill passed through the courtroom."

In a hard voice, Lord Goddard said, "You have betrayed the hospitality and protection given you with the grossest treachery...Your object being to strengthen that creed which then was known to be inimical to all freedom-loving countries...You have imperiled the right of asylum which this country has hitherto extended. Dare we now give shelter to political refugees who might be followers of this pernicious creed?"

Goddard continued, "You might have imperiled the good relations between this country and the great American republic with whom His Majesty is allied...It is not so much for punishment that I impose penalty, for punishment to a man of your mentality means nothing. My duty is to safeguard this country."

It was then that Lord Goddard imposed a sentence of 14 years, the maximum under British law.

A result of these proceedings was that Britain officials were so taken aback by the fact that a top scientist working on the atomic bomb was a Communist and even more chagrined by his written record being ignored, that they ordered a recheck of all personnel records in all government departments. To say they were embarrassed is to far understate the situation. The British felt they might never recover their respect in the eyes of their allies.

A footnote to the *Times* article states, "British immigration officials have already begun to tighten the fence against 'undesirables.' Typical was the case of one Nikola Martinovic, who flew into London from Switzerland last week, described himself as a political refugee from Tito's Yugoslavia seeking asylum in Britain. When immigration inspectors told him that his visa had expired, he shouted wildly: 'I don't want to go back! I will commit suicide if you send me back to Yugoslavia!' after a night under guard, Martinovic was put on a plane bound for Switzerland. Over St. Quentin, France, he opened a door of the plane, jumped 6,000 feet to his death.

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The cover of *TIME* magazine for March 13, 1950 containing the article on Klaus Fuchs' trial

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INTERNATIONAL

to the militia . . . is false, untrue, and dragged out of me against my will . . . I want the Legation to bring to the knowledge of the militia that any attempt of theirs to make use of that statement of mine will be countered by exposure of this letter . . ."

Before he left Sofia, Heath tried hard to get the Bulgarian government's permission for Shipkov to leave with him. He failed. Last week's indictment of Shipkov not only demanded his trial but also frankly insisted that he was "to be found guilty and punished."

ESPIONAGE

"Thank You, My Lord"

Preceded by the bearers of mace and sword, England's Lord Chief Justice, Lord Goddard, robed in icy dignity and a scarlet gown, entered the oak-paneled courtroom of the Old Bailey. He shuffled his papers, impatiently tapped the silver snuff box on his high desk. Then, mounting the stairs which lead from the cells below directly into the prisoner's dock, appeared Dr. Klaus Emil Julius Fuchs. The court clerk solemnly read the indictment accusing Fuchs of communicating "to a person unknown information relating to atomic research . . . directly or indirectly useful to an enemy." His hand thrust into his trouser pocket, Fuchs whispered: "Guilty." In the visitors' gallery, which was packed with distinguished spectators, the Duchess of Kent toyed with her salmon-pink rose corsage.

A Chill in Court. "My Lord," began the Prosecutor, Attorney General Sir Hartley Shawcross, his grey wig clamped firmly forward over his forehead, "this is a case of the utmost gravity . . . The prisoner is a Communist, and that is at once the explanation and indeed the tragedy of this case . . ." Shawcross went over the story that Fuchs had told in his confession—the course of a brilliant, morally blind man from confusion to total, irretrievable corruption (*TIME*, Feb. 20).

Shawcross added only one significant incident to the tale—how Fuchs had decided to stop being an open Communist and had gone underground. It was the morning after the Reichstag fire in 1933, when the Nazis declared open season on Communists (whom they falsely accused of setting the fire). Fuchs read the story in a newspaper, riding on a train. "I took the hammer & sickle from the lapel of my coat where I had carried it," Shawcross quoted Fuchs as saying. "I was ready to accept the philosophy of the party as right in the coming struggle." The Chief Justice, listening with hard lines of patience on his face, opened the small silver box and took a pinch of snuff.

Shawcross concluded with a reminder that Fuchs would have got a different kind of trial had he been accused of treason by the power he served. "It should perhaps be said that this man's confession was

made while he was still a free man," said the Prosecutor, "able to come & go as he chose and consult with friends and . . . lawyers."

The defense took over. Fuchs's attorney sketched Fuchs's youth in Germany, "among the smoldering fires of political struggles and strife . . ." Once, when the attorney referred to what Fuchs had called his "controlled schizophrenia" (by which, Fuchs had insisted, one-half of his mind was Communist, the other half supposedly loyal to Britain), Lord Goddard snapped: "I cannot understand all this metaphysical talk, and I don't know that I should."

But what stirred Lord Goddard (and all of Britain) most was the defense counsel's



LORD GODDARD
A pinch of snuff.

calm statement that Fuchs had been a "known Communist," that his record in the Home Office said clearly that Fuchs had been a member of the Communist Party in Germany. Prosecutor Shawcross lamely admitted that this was true. But the fact, while it represented scandalous negligence on the part of British security services, did not alter the case or the course of justice.

"Call on him," said the Chief Justice. Fuchs stood up in the dock, read a statement from notes in a high, tinny voice, barely intelligible underneath his heavy German accent. "I have had a fair trial," he said, "and I wish to thank you, My Lord . . ." Then Lord Goddard leaned forward on his bench; a chill passed through the courtroom.

A Spot of Color. "You have betrayed the hospitality and protection given to you [by Britain] with the grossest treachery . . ." said Lord Goddard, hard-voiced, "your object being to strengthen that

creed which then was known to be inimical to all freedom-loving countries . . . You have imperiled the right of asylum which this country has hitherto extended. Dare we now give shelter to political refugees who may be followers of this pernicious creed? . . . You might have imperiled the good relations between this country and the great American republic with whom His Majesty is allied . . . It is not so much for punishment that I impose [the penalty], for punishment to a man of your mentality means nothing. My duty is to safeguard this country."

Then Lord Goddard imposed the maximum sentence under British law—14 years.

For a moment Fuchs stood still in the dock, then a warder tapped him on the back and he turned, mechanically tapping his yellow note sheets into a neat pile which he slipped into his coat pocket. As he left the court, for the first time since he had faced justice Fuchs's pale cheeks showed spots of color—of excitement or possibly of shame.

The procedure had taken one hour and 28 minutes.

Britain was staggered by the realization that, in checking the political reliability of a top scientist working on the atom bomb, British security agents had simply ignored the fact—written black on white in a government file—that he had been a Communist. An indignant tornado swept up from Fleet Street. Lord Beaverbrook's papers even accused newly appointed War Minister John Strachey of being a Communist (*see FOREIGN NEWS*). Sir Percy Sillitoe, the tall, burly former South African police officer who heads M.I.5 (British counterespionage), conferred with Prime Minister Attlee; a shake-up of British security services was due. The British, no longer supercilious over U.S. "spy hysteria," ordered rechecking of personnel records in all government departments. Grumbled the *Manchester Guardian*: "Luckily, the Americans were not sleeping too . . . The slowness of the British government's detectives is something which the free world will not forget or forgive in a hurry . . ."[†]

^{*} British immigration officials have already begun to tighten the fence against "undesirables." Typical was the case of one Nikola Martinovic, who flew into London from Switzerland last week, described himself as a political refugee from Tito's Yugoslavia seeking asylum in Britain. When immigration inspectors told him that his visa had expired, he shouted wildly: "I don't want to go back! I will commit suicide if you send me back to Yugoslavia!" After a night under guard, Martinovic was put on a plane bound for Switzerland. Over St. Quentin, France, he opened a door of the plane, jumped 6,000 feet to his death.

[†] But British Authoress Rebecca West, who covered the Fuchs case, reminded Americans that they did not have too much cause to be smug. Wrote she: "After all, Alger Hiss was denounced as a Communist agent when he was a prominent figure in the State Department in 1939, and nobody got around to investigating the charges until the last year . . ."

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John Iacovino who was amazed to learn how much Klaus Fuchs understood about the gaseous diffusion process