

letters

"Mr. Shadowitz. In answer to this question, I am going to follow completely the course of action advised by Dr. Albert Einstein, both to every one in general and by personal consultation to me in particular. I refuse to answer this question because it is in violation of the first amendment. I will refuse to answer any question which invades my rights to think as I please or which violates my guarantees of free speech and association. In addition, I specifically wish to object to the jurisdiction of the committee and to deny the right of this committee to ask any questions of me concerning political association."

"The Chairman. You are not invoking the fifth amendment, I understand."

"Mr. Shadowitz. I refuse to answer ... on the basis ... of the first amendment."

"The Chairman. Who other than your lawyer advised you on how to answer questions?"

"Mr. Shadowitz. I discussed this matter personally with Dr. Albert Einstein at Princeton, and he advised me to do exactly as I am doing right now."

"The Chairman. In other words, you went to Dr. Einstein and he advised you not to answer the questions?"

"Mr. Shadowitz. He advised me not to cooperate with this or any other committee of a similar nature. He said that on any question involving my personal beliefs, my policies, my associations with other people, my reading, my writing, I should refuse to answer on the basis that it is a violation of the first amendment, that I should not invoke the fifth amendment, that on questions involving espionage I should refuse to answer this committee on the grounds that they do not have the jurisdiction to ask these questions of me, but should then voluntarily on my own make a statement concerning the very questions asked, and this is the plan I propose to follow."

"Mr. Chairman. You mean Dr. Einstein advised you not to tell whether you were a Communist or not when you were working on classified work; is that correct?"

"Mr. Shadowitz. ... Dr. Einstein did not ask me whether I am a Communist, did not ask me whether I was a spy. All he knew was that I had been subpoenaed by this committee."

"The Chairman. Well, I am just trying to find out who gave you this advice. Is it correct that Dr. Einstein advised you not to tell the committee whether or not you were a Communist when you were working on classified Government work?"

"Mr. Shadowitz. Not in so many words. He told me more or less about as I have indicated in my previous statement."

"The Chairman. I would suggest that

if you do not want to spend considerable time in jail, that you advise with your lawyer rather than Mr. Einstein. But you have a perfect right to advise with whoever you want to."

"Mr. Shadowitz. I have secured what I believe to be competent legal advice. I feel perfectly secure."

"The Chairman. One of the things that you Communists are doing which is a great favor to this country, you will remove yourselves from circulation by convictions for contempt of the committee, and I have no objection at all to your walking straight into the door of a jail if you want to do it."

"Mr. Shadowitz. Undoubtedly, Senator, you are a smarter man than I am, but I still insist that I have the right to get my legal advice and my commonsense from whatever source I see fit, and I choose to seek mine from people other than you."

"The Chairman. In other words, you never discussed any classified material with Hyman; is that correct?"

"Mr. Shadowitz. ... after personal consultation with Dr. Albert Einstein, and with his full agreement and approval, I wish to object specifically to the jurisdiction of the committee and to deny the right of this committee to ask any questions of me concerning espionage. I, nevertheless, voluntarily state that I have never engaged in espionage, that I have no personal knowledge of anyone else having engaged in espionage, and that I have no information whatsoever on this subject for the committee. This answer is given without in any respect waiving my objections to the jurisdiction of the committee."

"The Chairman. ... were you accused ... because of your Communist activities?"

"Mr. Shadowitz. I refuse to answer that question on the basis that it is a violation of my rights under the first amendment."

"The Chairman. ... your case will be first submitted to the full Committee on Government Operations and then to the Senate, with a request that you be recommended for contempt. I assume the Senate will go along with that, and at which time your cases will be submitted to a grand jury."

Einstein was apparently content with this testimony, because he wrote Shadowitz about one month later to the effect that he believed that the latter was "acting very efficiently, not only for yourself but also for the public interest." Einstein went on to stress that he wanted "strictly to avoid ... the impression that I am functioning as a kind of political organizer. It has to be clear that I am restricting myself to having publicly and clearly stated my conviction." Shadowitz responded, "... I not only understand you completely, but I am also in agreement with you. You have my word that

I will not involve you in my case in any way in the future ..."

Einstein's "plumber" statement, quoted by Cranberg, was part of a letter to the editor of *The Reporter* magazine in October 1954. It began with, "You have asked me what I thought about your articles concerning the situation of the scientists in America. Instead of trying to analyze the problem, I may express my feelings in a short remark: If I would be a young man again, ..."

The letter to Taub from Einstein clarifies the meaning of this statement to some extent. Three additional short communications to correspondents may offer further insight into Einstein's intent and feelings.

15 November 1954: "My love and respect for science have not diminished a bit. My intention was only to remind the people to defend their political rights and the Constitution."

15 November 1954: "I thank you sincerely and joyfully for your excellent letter. It is the most enlightened one I have received so far on the occasion of this, my little escapade."

26 March 1955: "what I wanted to say is this: Under the prevailing circumstances, I would not like to have to earn my living in a profession where my constitutional rights as a citizen are not being respected."

The range and depth of Einstein's feelings and beliefs are evident in these poignant remarks.

[I am grateful to Otto Nathan, Trustee of the Estate of Albert Einstein, for permission to have access to the nonscientific papers and correspondence of Albert Einstein. Nathan has read my draft manuscript and has written me that he believes that the explanation given on pages 613 and 614 of *Einstein on Peace*, edited by O. Nathan and H. Norden (Schocken Books, New York, 1968), "is a valid interpretation of Einstein's letter" to the editor of *The Reporter*. I am grateful to Nathan for this communication.]

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Corrections

March 1980, page 160—in the editorial by Herman Feshbach, four lines from the end of the first column the words "effective gesture" should read "ineffective gesture."

March 1980, page 53—David L. Dexter joined the University of Rochester in 1952, not 1958, and he received his PhD from the University of Wisconsin, not Michigan State University. □