

Wicker at Attica

A Time to Die. By Tom Wicker, New York: Quadrangle, 1975.
Pp. viii, 342. \$10.00.

Reviewed by James T. Carney†

Tom Wicker's *A Time to Die*¹ is multilayered. On one level, it is history; on a second, political philosophy; on a third, autobiography; and on a final level, an appeal for prison reform. Above all, however, it is good writing. Like all good writing, even consciously autobiographical writing, it tells more about the author than the author intends—which, given Wicker's position as the archetypical establishment rebel, may be the real significance of the book.

A Time to Die is a history of the Attica rebellion. Wicker describes it as a comedy of errors—except for the end result. As is appropriate for a classic comedy, the errors result from the actors' misperceptions of reality. Of the inmates' misperceptions, the most ironic was their belief, despite their publicly expressed fears, that the state would take no action to end the uprising. As Wicker notes, "many of these despised inmates finally had not believed that the state—society, The Man—would shoot them down."²

There were probably two reasons for the inmates' blindness to the realities of the situation. First, they suffered from a curiously American innocence which led them to assume that their opponents would not only refrain from taking action against them but would even assist them, because the inmates were "good" and their opponents were "bad." Even Wicker was somewhat bemused by this confidence in the unaided "virtue" of their cause: "Many of its participants and supporters regarded it less as a power play . . . than as a *proper condition* in itself, of greater validity than the restoration of accustomed authority. . . . Many inmates seemed to think it was the administration's duty to sustain the revolt—by food, water, medical care, etc.—rather than to end it."³

Second, the inmates failed to realize that actions which they regarded as posturing would be taken far more seriously by the state. Thus, as preparations for the final assault mounted, the inmates attempted to

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1. T. WICKER, *A TIME TO DIE* (1975) [hereinafter cited by page number only].

2. P. 309.

3. P. 63 (emphasis in original).

bluff the authorities by taking eight of the hostages to spots visible to the state troopers and menacing each hostage with a knife or some form of blade. The authorities understandably took the bluff as a real threat and acted accordingly.⁴ For their inability to accept the real implications of their revolutionary act, which forced even a liberal state government to employ force to preserve its ultimate authority, the inmates paid a heavy price.

If the inmates underestimated the willingness of the state to use force, they also overestimated their ability to withstand the use of such force. There was a "Catch 22" aspect to their possession of the hostages: "Power derived from the custody of the hostages in their miserable ring could be *political power* only as long as they were alive to be threatened by the blades, and maybe not even that long. The power of the inmates actually was enough to gain them a hearing and maintain a stalemate only while the state held the lives of the hostages dearer than it held the control of its institution."⁵ Accordingly, the prisoners' demand that they be flown to a third-world country,⁶ or their demand for total amnesty for the uprising—an uprising which resulted in the murder of one guard and the beating of a number of others, as well as the murder of three prisoners—was totally unrealistic. What Wicker himself never completely understood was that the state would sacrifice the lives of the hostages rather than surrender to demands which negated its sovereignty.⁷

Given the essential weakness of the inmates' position, the best they could achieve was certain specified prison reforms, a commitment that there would not be indiscriminate retaliation for the uprising, and replacement of the warden. Tragically, no attempt was ever made by the inmates' leaders or the observers to apprise them of the true nature of their situation. Indeed, the inmates' own leaders failed them at crucial moments because of fear that decisive action would cost them their leadership position. Shortly after the revolt began, Roger Champen, one of the most respected jailhouse lawyers, stood by silently as other inmate leaders denounced a federal injunction designed to limit reprisals for the uprising, even though he had helped draft the document and knew that it represented the best possible deal.⁸ Similarly, Richard Clark, another inmate leader, ripped up the paper containing the 28 reforms that the prison authorities had agreed to undertake.⁹

4. Pp. 274-76.

5. P. 79 (emphasis in original).

6. Pp. 185-86.

7. Pp. 122-23.

8. P. 39.

9. Pp. 174-75.

The observers did not do much better. None of them recommended the acceptance of the 28 points conceded by the prison authorities. Bobby Seale, much to Wicker's disgust, avoided the question completely for fear of losing his constituency.¹⁰ On one occasion, William Kunstler and Arthur Eve not only failed to warn the inmates that the rejection of the 28 points would result in the use of force but rather aroused unrealistic hopes by discussions of the possibility of amnesty and asylum in the third world.¹¹ Perhaps such a recommendation would have been rejected. "But the straw lay there to be grasped at, that September afternoon in the fading light of D-yard. Wicker saw it clearly. He did not doubt the imperative to speak that had been placed upon him by the realization. Fear, not least for his own safety, offered its insidious counsel, but he understood that the possibilities were as unclear one way as the other, whether he spoke or did not. He knew what was expected of him, what he expected of himself. . . . But he did not speak"¹²

The tragedy, however, owed as much to the shortsightedness of the authorities as to the inmates' misperceptions. A society which failed to understand or reform the inequities of the prison system¹³ cannot escape responsibility for the consequences of an inevitable rebellion. Moreover, in some ways the state misunderstood the nature and motivations of the inmates who rebelled against a degrading system. As Wicker noted: "All the state officials, all the observers—so far as he knew—had believed explicitly that the inmates would kill the hostages if D-yard was attacked. But the inmates *had not done it*. . . . The hard truth was that the Attica brothers had had more faith in the state than the state had had in them. Both had been wrong."¹⁴ However, Wicker's own actions and fears, as well as the inmates' threats against the observers,¹⁵ suggest that the attitude of the state authorities was not without some basis.

The state also committed major blunders in the planning and conduct of the final assault. The basic goal of the assault was to rescue the hostages, not to retake the prison, since the prison could be captured without difficulty once the hostages were freed. This goal could be achieved only if the assault were made by a small band of highly trained men who could rescue the hostages with a minimum use of firepower. Instead, the state used a large number of untrained

10. Pp. 192-93.

11. Pp. 240-41.

12. Pp. 242-43.

13. Pp. 33-34, 59-62, 81-90, 107-12.

14. Pp. 308-09 (emphasis in original).

15. Pp. 172-74, 211, 224.

troopers, exhausted by four days of nervous waiting and more interested in venting their animosity on the inmates than in saving the hostages.¹⁶ The result was a massacre, not just of the inmates but of the hostages whose rescue was the aim of the assault.

However, *A Time to Die* is more than a critical history of the Attica revolt. It is a statement of Wicker's commitment to humanism and moderation—a statement made because of, rather than in spite of, the failure of both humanism and moderation at Attica. At the core of Wicker's thinking is the recognition that a perfect society cannot be erected by imperfect men: "Wicker believed something else, too, which he doubted that political believers like William Kunstler really understood—that there was little reason to have faith in *any* society that men and women might be able to establish, if that faith demanded the elimination of injustice. . . . People could change any society, but no society could change people. Therefore, as Wicker saw it, the aim of a society of men could be at best to *limit* injustice; and its true measure was the value, if any, that it placed on that goal. Thus, talk of revolution and overthrow made Wicker uncomfortable intellectually. What he knew of history impelled him to ask: Overthrow society and *replace it with what? With what old injustice to what new victim?*"¹⁷ While the revolutionary was willing to sacrifice everything to create the new order, Wicker was unwilling to sacrifice anything, least of all human life, for a new society. To the humanist, man, rather than society, is the measure of all things, and human life is the ultimate value.¹⁸ If the preservation of life is the end of humanism, moderation and compromise are its essential methods. As the assault was launched, Wicker was left thinking to himself that the tragedy could have been averted: "[H]e would call someone, anyone, who could sit at a table with others in a quiet law office somewhere and work out a compromise arrangement, the kind of compromise arrangement that was worked out every day, every hour, in every kind of situation, when interests conflicted and men wanted compromise."¹⁹

The politics of moderation failed at Attica.²⁰ Wicker suggests that this failure was due to the fact "that the novel process in which they were involved could be scarcely rational at all, either on the part of the state or on the part of the inmates—rational, that is, in the sense that each side could pursue its interest coldly, rather than yielding to

16. P. 214.

17. P. 78 (emphasis in original).

18. P. 218.

19. P. 284.

20. P. 295.

passions, prejudices, fear, and hatred."²¹ Much of *A Time to Die* exemplifies Coleridge's adage that history is philosophy teaching by example. Wicker ruthlessly judges those not committed to humanism. His description of the incident in which Bobby Seale carelessly throws to the floor a note with the message, "*Brother Bobby, our lives are in your hands. Come! Attica prisoners,*"²² is a searing indictment not only of Seale but of all political leaders who place political expediency ahead of human needs. His description of William Kunstler is hardly more flattering: "Yet Wicker could not help but wonder whether Kunstler's fervor was not to some extent what he and his clients would call an 'ego trip,' and whether it served deserving clients any better than solid, nonpolitical legal counsel . . ." ²³ And he is also critical of Governor Rockefeller's reluctance to come to Attica.²⁴

Indeed, the only individuals at Attica who emerge with any credit are the moderates. Among those is Harlem publisher and businessman Clarence Jones, who at the risk of his own personal safety urged moderation by both the inmates and the state.²⁵ Oswald, the beleaguered head of the state prison system who made unparalleled efforts to end the Attica revolt without bloodshed, is also praised: "Oswald obviously had been fighting a rearguard action against his own professional colleagues; and Wicker believed that Oswald's desire for a peaceful settlement was not only sincere but professionally courageous."²⁶ Even the much despised Warden Mancusi is praised for offering to resign in an effort to achieve a settlement without bloodshed after learning that the inmates' two nonnegotiable demands were for amnesty and his dismissal.²⁷

On the most significant level, *A Time to Die* is autobiography. Interwoven with the story of the revolt are flashbacks to episodes from Wicker's life: his boyhood in North Carolina, his military service, his career in journalism, and his one prior brush with death. The consciously autobiographical aspect of the book is due in large part to Wicker's conviction that Attica marked a crucial time in his life.²⁸ His marriage was on the verge of dissolution,²⁹ his literary career was at a standstill,³⁰ and his endeavors to utilize his journalistic position to

21. P. 45.

22. P. 165 (emphasis in original).

23. P. 77.

24. P. 203.

25. Pp. 172-74.

26. P. 205.

27. P. 251.

28. Pp. 131-32.

29. Pp. 4, 21.

30. Pp. 11, 19-21.

achieve a better society had been unsuccessful.³¹ He felt an emptiness because of his desire to commit himself to causes, while his insistence upon remaining an observer rather than a participant prevented him from doing so.³²

A Time to Die is thus a story of Wicker's rite of passage: "At Attica, he might no longer be able to play his easy, familiar role of privileged onlooker."³³ It posed, however, a test that he was eager to meet: "However little he might actually belong there, his life and work had brought him to Attica, almost as if to demand of him that he validate the work by committing the life. . . . [H]e had had a good, long run for it; he had come a long way before they laid a glove on him."³⁴ And at Attica, he made his commitment—in some ways. He abandoned his journalistic impartiality to threaten Bobby Douglas, the Governor's representative, with the power of his columns in the *New York Times* if Rockefeller refused to come to Attica.³⁵ He took his life into his hands when he made the final visit to D-yard: "He respected Lew Steel's opinion that none of the observers could safely return to the yard, particularly the white ones. . . . On the other hand . . . if much always had been expected of Tom Wicker, at least by himself, not all that much had been delivered. And he knew, that Sunday morning . . . that he must either finally meet his own expectations for himself or abandon them and his idea of who and what he was."³⁶ Then, he waffled. While in D-yard, he, like most of the other players in the tragedy, tried to protect his own interests. He pleaded with the inmate leaders not to prompt him in front of the news cameras when he was interviewing the hostages, lest he appear to be their tool.³⁷ He failed to speak when the time came for him to do so: "They had all failed. . . . But Wicker believed he had witnessed, had been part of, a profound human failure, too—a failure of understanding, of courage, of intelligence, above all a failure of the human spirit. He did not know how much of that failure was rightfully his alone to bear. But it was enough, he knew, enough for anyone."³⁸

The historical-autobiographical flow of *A Time to Die* is interrupted at four points by essays on the history and present nature of the prison system.³⁹ These excursions explain the conditions which made the

31. P. 164.

32. Pp. 77, 195-98.

33. P. 37.

34. *Id.*

35. P. 203.

36. P. 211.

37. Pp. 235-36.

38. P. 295. See also pp. 241-43.

39. Pp. 33-34, 59-62, 81-90, 107-12.

Attica uprising inevitable and present the case for prison reform. For Wicker, the high recidivism rate proves the failure of our prison system. He claims that prisons fulfill none of the roles assigned to them. They do not rehabilitate, they do not deter, and they do not segregate criminals from the rest of society.⁴⁰ Accordingly, he concludes that they are ineffective⁴¹ and even that "the *idea* of prison was wrong."⁴² Unfortunately, the evidence for his conclusions and the logic of his arguments are not impressive.

Certainly Wicker is right in his basic observation that prisons do not have any substantial rehabilitative effect. Indeed, this fact is evident to anyone who has examined the numerous studies of recidivism cited by Wicker.⁴³ Moreover, it is clear, as Wicker points out, that "there is no known penological approach that achieves a significantly lower rate of recidivism."⁴⁴ That is hardly surprising, though, since there is no known formula for producing "the awakening of self-respect [which] seems to be indispensable to any real 'rehabilitation' of an offender."⁴⁵

Wicker's conclusions about the deterrent effects of prison are considerably more dubious. He recognizes that some studies have shown that the threat of punishment does deter criminal conduct, but suggests that the deterrent effect is limited solely to the middle class.⁴⁶ He also implies that the deterrent effect cannot be very great since "crime rates have been rising despite the almost automatic recourse of courts to prison sentences for most convicted offenders."⁴⁷ This last statement is inaccurate, for the rising crime rate has been paralleled by an increased reluctance upon the part of the courts to imprison convicted criminals, especially for first offenses. In addition, the chances have diminished that a criminal will be convicted, let alone imprisoned, for a given offense. To most observers, the connection between the increasing rate of crime and the decreasing rate of imprisonment would be obvious.

Wicker's discussion of the "quarantine" effects of imprisonment is also flawed. He does recognize that "prison does not really separate and segregate criminals from society—not for any great length of time. In 1970, for example, the national average prison term was 28 months

40. Pp. 108-12.

41. Pp. 34, 112.

42. P. 64 (emphasis in original).

43. P. 109.

44. P. 112.

45. P. 111.

46. P. 108.

47. *Id.*

. . . .”⁴⁸ Again, however, he fails to consider whether, in view of the known statistics about recidivism, the decreasing length of prison terms has any relationship to the increasing crime rate. On the contrary, Wicker suggests that increasing the length of the prison term might increase the crime rate since some statistics show that “the longer the term, the likelier the inmate is to recidivate.”⁴⁹ For this proposition, he refers only to a study showing that a group of Florida prisoners released before their terms had expired had a lower rate of recidivism than did another group released after their terms had been completed.⁵⁰

The most puzzling feature of Wicker’s analysis of this problem is his failure to recognize that an important cause of recidivism is the difficulty former inmates have in finding a job after being released from prison. Penalizing the ex-convict by unreasonably restricting his opportunities for employment is both unfair, because he has paid the price exacted by society for the wrong he has committed, and unwise, because a man will sooner rob than starve. Perhaps Wicker attaches little significance to this difficulty—despite his contacts with several inmates who had encountered great difficulty finding employment after serving previous sentences⁵¹—because it suggests that the real solution to the crime problem lies not in the abolition of prisons but in helping to reintegrate the released inmate into society.

Wicker’s intense commitment to prison reform has colored his analysis. Indeed, the best explanation for the weakness of the analysis is given by Wicker himself in criticizing Kunstler: “[T]he more ‘committed’ a person was . . . the more the ‘commitment’ became acceptance of an ideological position, and therefore the less intellectually independent the committed person could be.”⁵² Wicker gives us clues to the sources of this commitment in his own upbringing. From earliest childhood, Wicker had been taught that he was set apart from and superior to ordinary men.⁵³ Wicker saw manifested in worldly success his possession of inner superiority—of grace, as his Puritan forebears would have termed it. However, his success left him uneasy.⁵⁴

Against this background, two powerful motives appear for his involvement in prison reform and his mission to Attica: vanity and guilt. When he received his summons to Attica—appropriately enough, in that pinnacle of the Establishment, the executive dining room of

48. P. 109.

49. P. 110.

50. *Id.*

51. Pp. 17-18, 82.

52. P. 77.

53. P. 137.

54. Pp. 49, 163.

the National Geographic—he marveled that “[i]t was possible . . . that those unknown, faraway prisoners *could* think of him in some way as sympathetic to their plight. He thought he might be the only daily newspaper writer of his time to whom such men would think they could appeal.”⁵⁵ He caught the first plane “because of a certain faint pride at having been asked for help by men who had so few to whom they could turn.”⁵⁶

Wicker’s identification with the inmates at Attica not only gratifies his vanity; it frees him of his sense of guilt. As he made his first visit to D-yard, “he was beginning to feel certain emotional links to men who had seemed so far removed.”⁵⁷ He concluded that the inmates are the victimized and that society is the victimizer: “Wicker could not help but think how relative were the judgements of men. Thieves and murderers compared to whom? Prisoners of society due to what accidents and perversions of the same society?”⁵⁸ This process of identification reached its climax in his last visit to D-yard, when he shook hands with and then embraced an unknown black youth: “‘We gonna win, brother,’ Wicker said. ‘We gonna win.’ The boy smiled and nodded and Wicker walked on, thinking he was *free at last free at last*.”⁵⁹

55. P. 6 (emphasis in original).

56. P. 36.

57. P. 52.

58. P. 106.

59. P. 249 (emphasis in original).



Thomas W. Swan
(c. 1925)

