

## Two interviews by Lew Irwin

# Kunstler: there will be more Atticas Rev. Coffin: people get tired of losing

Attorney William Kunstler, a member of the "observer" team at Attica prison.

**KUNSTLER:** The prisoners and the guards were murdered by the State of New York. Prisoners now must organize if they're going to stay alive.

**IRWIN:** In this regard, there has been the comment from David Harris and Joan Baez that the prisoners should not have taken hostages, that instead they should have struck in order to secure their demands.

**KUNSTLER:** Well, I think no one can comment on the repression of others in all good morality unless they have lived it themselves. With all respect to Joan and David, to have essentially white, middle-class people comment on prisoners at Attica, is dangerous, even for those who have been in Federal Prison, which is far different from State Prison. The prisoners at Attica had a situation which I don't believe anyone can truly understand who was not there. To comment on it without experiencing it is to be in error and to be unfair, both to yourself and to the prisoners. It's like living in Australia and condemning the American colonists for shooting the British soldiers at Concord and Lexington.

**IRWIN:** Well, do you think there is the feeling within the prisons that the taking of hostages is a legitimate tactic and that that's going to continue?

**KUNSTLER:** Well, I think it is a legitimate tactic myself, even though out of my white, middle-class background, I have some hangups about seizing hostages, I understand that if there's no other way to get an ear, to get grievances listened to, desperate people are going to use desperate means, and when they do, it's probably because of the society which closes its ears to them. I think it certainly was a legitimate tactic under the circumstances that were present in the New York penal system.

**IRWIN:** Commissioner Oswald, who is generally regarded as a liberal among correctional officers, now says he decided to move in primarily because the prisoners were killing other prisoners. How do you react to that statement?

**KUNSTLER:** This is a complete afterthought. He didn't know anything about other prisoners being killed.

As a matter of fact I don't think Commissioner Oswald decided to move in; the decision was made by the Governor, who had his chief representative at Commissioner Oswald's shoulder every minute. But the excuse for moving in originally was that they saw prisoners cutting the throats of hostages. When they found out that that lie didn't work, they changed it to prisoners were killing other prisoners.

Three prisoners were apparently killed early in the game. One was a man with a sexual problem, who probably ran into some difficulties over that. The other two were the owner and the assistant of the gambling syndicate in the prison, who probably caused some bitterness. And somebody lost his head in the prison, and these men were killed.

I don't think the Commissioner knew anything about that. He never mentioned it to the observers. He said he saw hostages being threatened by prisoners with knives at their throats. This was an untruth. But he used that to justify murder.

**IRWIN:** In the aftermath of what occurred at Attica, a number of correctional officers all over the country said they wouldn't have done any negotiating with the prisoners, that they would have moved in immediately. They also seem to have the support of most people. Do you think the prisoners have attracted much sympathy?

**KUNSTLER:** I think they have among people who question the credibility of the state. They wonder why the Governor didn't go to Attica, because his being there — not with the prisoners, but with us, the observers, would have given the prisoners the idea that the state of New York was seriously interested in helping them.

The prisoners didn't believe that because they knew what had happened at Auburn some months earlier, where the prisoners had been promised no reprisals but were brutally treated after they gave up, let their hostages go, and came out.

I wouldn't say a majority of Americans regard the prisoners at Attica as heroes, but a substantial minority do. As far as running in immediately, jumping in, that would have been even more tragic than waiting, because the prisoners at least were organized by the fourth day, and a lot of the bloodshed, or the murdering of hostages that might have occurred in the beginning was avoided.

If they had waited another four days, no one would have been killed, because the prisoners were really ready to negotiate. They had in fact given up on one of their hard demands, the removal of the warden, and they were ready to talk some form of amnesty, not precisely the kind they had talked about in the first place, if there was time. But time ran out.

*IRWIN:* There's a California Assemblyman, Assemblyman Conrad, who singled you out for special attack after Attica. He said it was because of people like you and your ideas getting into prisons that cause revolts like the one in Attica. How do you react to that?

*KUNSTLER:* I think this is probably part of a rather widespread attack on me and others. Bobby Seale is certainly another target. This is part of an attempt to put the blame for a cosmic tragedy on a recognizable enemy; and the recognizable enemy is always the radical, the outside agitator. This was done with Martin Luther King, with Socrates, Jesus Christ, and anybody else along the trail that has irritated the majority of the population, because they have certain demands, certain ideas on how society should be run.

The real reason for Attica was the way prisoners were treated. And the demands of the prisoners were not radical — in fact, they were very moderate. They made very humane demands. (NOTE: Kunstler insists that the list of demands published recently in the *Free Press* was not the actual demands of the Attica prisoners. They did not ask for transportation to a non-imperialist country. Nor did they ask for conjugal visiting rights, freedom for Angela Davis or freedom for the Soledad Brothers, according to Kunstler.)

So I think to try to put the cause on a radical element or to try to segregate the more radical prisoners is both a dangerous and a despotic thing. That will do nothing to resolve

the real problem. There will be more Atticas so long as prison conditions remain as they are, whether they put all the so-called political prisoners in segregation and put people like me out of commission.

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William Sloan Coffin, Chaplain, Yale University, who with Dr. Benjamin Spock and Mitchell Goodman was convicted of conspiring to counsel young people on evading " " and was later freed on

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