

IN THE NATION

By Tom Wicker

Nelson Rockefeller has been unanimously approved for the Vice-Presidency by the Senate Rules Committee, and his nomination appears to be sailing easily through the House Judiciary Committee. Yet, Mr. Rockefeller admitted to the Senate committee that he made one major error in the handling of the prison revolt at Attica in 1971. He admitted to the House committee that he made a second major error during that revolt. Those two errors opened the way to the deaths of 39 men, including ten corrections officers and prison employees.

When asked, moreover, by Representative Charles Rangel of New York why he had not personally gone to Attica, as he had been urged to do, Mr. Rockefeller said he was "no messiah," saw nothing he could do, and "so there on national television would be Nelson Rockefeller and he would be the man who failed." Earlier, when Representative David Dennis of Indiana asked the same question, Mr. Rockefeller had said that if he had gone to Attica, he "would just be giving approval" to the holding of hostages.

Neither of these explanations (which are quoted from newspaper accounts, not the transcript of the committee hearings) should be of much comfort to the relatives of 39 dead men. Whether Mr. Rockefeller was seen on television to have failed seems a minor public relations concern compared to a governor's responsibility to take every conceivable step that might save the lives of state employees, not to mention those confined by the state. As for negotiating with

people who hold hostages, it may be an unpleasant necessity, but sometimes humanity demands that it be done—and in fact it is done all the time, all over the world, and quite often successfully.

Placing such an abstract principle above the human desire to save lives may not commend Mr. Rockefeller to everyone as a man who should be in line of succession as Commander in Chief of the armed forces. Nor does the bad judgment he now attributes to himself in the handling of the Attica revolt and the recapture of the prison.

Inmates rioted and gained temporary control of much of the prison on Thursday morning, Sept. 9, 1971. By early afternoon, state troopers had recaptured most prison areas, using minimum force—no loss of life—and confining about 1,200 rebels with their hostages in exercise yard D. With Governor Rockefeller's concurrence, Corrections Commissioner Russell Oswald then opened negotiations with the inmates.

At the hearings last week, Mr. Rockefeller told Mr. Rangel that "probably the most serious mistake I made—and this is the first time I have said this—was not to have overridden the Commissioner's decision to stop the retake of the prison by state police." Many prison administrators and policemen agree with this, as the rebellion might possibly have been terminated then without use of lethal force.

But Mr. Rockefeller allowed negotiations to proceed that day and the next three, although he did not at any time go to Attica himself. Then, no settlement having been reached, on the morning of Sept. 13, he permitted state troopers to attack D-yard with tear gas, shotguns, rifles and sidearms, killing 39 men, including ten hostages, and wounding eighty.

Last September, to the Senate Rules Committee, Mr. Rockefeller suggested that the attack with lethal weapons had been a mistake. He said that "the procedure . . . namely to go ahead at the beginning without weapons and which was stopped in the process, which procedure has now been re-established by the state, is the best procedure and . . . if this would happen again I would think that was the proper way to proceed."

These two errors—not to proceed with minimum force at the outset, then attacking with lethal force four days later—imply a third error. If the course of negotiation was embarked upon at all (as it was), it should have been played out to the end, including at some point Mr. Rockefeller's personal intervention; but if he was not prepared to play out that course, he should not have allowed negotiations to start.

Still a fourth mistake, of more chilling implication, about which neither committee has questioned Mr. Rockefeller, was the total lack of control he exercised over the attack once it was decided upon. Asked about that by the Special Commission, he replied:

"I'm not a military man or a police official. These are professional judgments. . . . I do not feel I have the competence to make the judgments and I think there's nothing more dangerous than a civilian messing in military activities and trying to impose . . . his judgment over those of the professionals. . . . My experience is that the best thing a well-intentioned civilian political personality can do is not try and impose his judgment on professional matters but to pick good people and back them up. . . ."

That was in reference to state police. Is there any reason to believe Mr. Rockefeller would be less deferential to Pentagon professionals?