

The Washington Post

AN INDEPENDENT NEWSPAPER

SUNDAY, AUGUST 15, 1971

PAGE B6

The Austin Fiasco—Another Week That Was

It was only a matter of time until George Wallace availed himself of the stunning opportunities for disruption that were handed him by Mr. Nixon in his school desegregation statement of August 3. That was the statement in which Mr. Nixon summarily disowned the school desegregation plan his administration had been in court seeking to implement in Austin, Texas, since a short time after the Supreme Court's busing decision in April. The administration's Austin plan had called for plenty of busing, and Mr. Nixon let it be known that on his account it was now unacceptable to him. His disquisition on his personal views on the matter at once provoked a predictable response from the governor of Alabama—a series of taunting statements, positively adrip in heavy irony, welcoming Mr. Nixon to the anti-busing club and challenging him to put his opinions into effect.

That was the first week following Mr. Nixon's announcement. By the second, Governor Wallace was ready for action. Thursday, even as the Civil Rights Commission was issuing its criticism of Mr. Nixon's position, Governor Wallace revealed that he had directed some Alabama school officials (and intended to so direct a number of others) to disregard federal school desegregation decrees. The governor happily requested Mr. Nixon to support him—"if he is against busing, as he says he is."

What is involved here is not just a mischievous taunt based on the proposition that one political turn deserves another; nor is it something that self-evidently can be managed by administration protestations that the President never meant to suggest that he would be a party to outright defiance of the federal courts. Rather, Governor Wallace now seems to have put himself in a way (with Mr. Nixon's help) to revive the fading specter of confrontation politics as a form of resistance to school desegregation in the South. With only a few weeks until school opening time, it was enough (or so it seemed) that the administration had cast new confusion over the obligations of countless school districts, had undermined the positions of

many of those who thought they were reflecting its views in court, and made it increasingly difficult to gain local community acceptance of public school rearrangements that have been authorized by the courts. Now, as it seems, there is also the renewed prospect of ugly and dangerous defiance.

That would have been enough for one week—but there was more. Borrowing a page from Governor Wallace's well-thumbed lexicon, the White House saw fit to step up its own attacks on anonymous "bureaucrats" who, it strongly implied, had been subverting the President's true position on these questions all along. It had already been publicly surmised by a White House spokesman, by way of explaining the administration's Austin turn-about to the press, that Mr. Nixon had probably not ~~seen~~ and approved the plan in the first place. Thus, HEW, which had developed the plan, and Justice, which had been promoting it in court, were left to deal with their own chagrin. Wednesday, at a White House briefing, Mr. Ziegler helped them along.

Addressing himself to an alleged episode of bureaucratic resistance to a presidential policy in an unrelated HEW matter, Mr. Ziegler disavowed knowledge of the particular case, but went on to make a ringing general pronouncement:

"I have seen in the last few years here that occasionally the bureaucracy is not as responsive to the White House as some may suspect. But let me assure you that those who work within the government in various departments are going to be responsive and those who are not responsive to the policies set forth by the President will find themselves involved in other assignments and quite possibly not assignments within the federal government."

He also warned specifically on the busing issue that the President had reiterated his policy, that he expected it to be followed by the bureaucrats and that "it will be followed." It was enough to warm the heart of Senator Tower, who professed himself "encouraged" by the fact that Mr. Nixon "is moving to bring the federal bureaucracy into compliance with his policy."

Lest any of this should lead you to suppose that in the Austin episode, the political leadership of the administration was duped by the lower level departmental bureaucracy, or that Mr. Nixon is merely engaging in some classic struggle to impose his own policies on a bunch of willful leftwing civil servants, it might be well to recall who was in at the takeoff. The plan for Austin came out of an HEW office run by a Nixon appointee. It was then personally approved by both Secretary of HEW Elliot Richardson and Attorney General John Mitchell. Two of Mr. Nixon's high-level White House assistants further reviewed the proposal and approved it. Are these unresponsive "bureaucrats?" Should they start looking around for other jobs? And what was the policy, anyhow, that the White House so strongly feels the "bureaucracy" failed to follow? If it was so obscure to Elliot Richardson, John Mitchell and President Nixon's own civil rights aides when they launched the Austin suit in May, you have to ask yourself how it could have been self-evident to some hapless GS-13.

The point is not just that the ex post facto explanations won't wash (they won't), or that they have managed to make what was at best an unattractive situation even worse. For in addition to helping Mr. Wallace along with his tiresome and perilous games, the White House has also raised another quite separate problem with its own separate ill effects. It has something to do with credibility and responsibility—not just in relation to school children and local officials around the country, but in relation to government officials who serve a President in good faith. Mr. Nixon put it nicely in the 1968 campaign. Good and competent men, he said "are not attracted to an administration in which all credit is gathered to the White House and blame parceled out to scapegoats, or in which high officials are asked to dance like puppets on a presidential string. I believe in a system in which the appropriate Cabinet officer gets credit for what goes right and the President takes the blame for what goes wrong." So do we.