

# Col. Herbert Says Army Is Out to Destroy Him

## Atlanta

Attorneys for Lieutenant Colonel Anthony Herbert charged yesterday the Army was seeking his "destruction" through newspaper articles that were being printed across the country.

The Arizona Republic in Phoenix and the Chicago Sun-Times printed interviews with Major General John Barnes in which Barnes accused Herbert of beating unarmed Vietnamese villagers and conducting himself like "a cold-blooded killer."

The 42-year-old Herbert is quitting the Army because, he contends, he has been harassed for charging his superiors with failing to take action on atrocities in Vietnam after the crimes were brought to their attention. Barnes was one of those named by Herbert.

Barnes' interviews were the first he has granted since the charges by Herbert were filed. In the Chicago Sun-Times article, Barnes said he had been barred by the Army from speaking out against Herbert because an investigation into Herbert's charges still were pending.

All the charges brought by Herbert have been dismissed by the Army on various grounds.

Herbert, who was then an enlisted man, was the most decorated American non-commissioned officer in the Korean war, and despite the

recent controversy, the U.S. Senate yesterday voted him a promotion.

"The Army has decided its newest tactic will be the destruction of Colonel Herbert," Charles Morgan, an attorney for the American Civil Liberties Union said after learning of the articles.

"It has public relations people working with select reporters across the country."

The Arizona Republic article was written by Paul Dean, the newspaper's aviation editor. Dean said he had "never been approached by the Pentagon any time." He said he worked through a very close personal friend who was a former member of the 173rd Airborne Brigade, Herbert's old outfit.

Dean's article quoted Barnes as saying that during his Vietnam duty Herbert beat an unarmed Vietnamese civilian and slapped and kicked a Vietnamese detainee. Barnes was also quoted as saying Herbert attacked a fellow officer with his fists at Ft. Bragg, N.C. in 1964.

The article further quoted Barnes as saying that he relieved Herbert of his battalion command with the 173rd Brigade in Vietnam in 1969 for "overreacting" during an assault that "Devastated" a coastal village.

Herbert, who has taken a 30-day leave to recover from the harassment he says he and his family have suffered, could not be reached for

comment, but Morgan said the Dean article helped strengthen Herbert's case.

"Herbert didn't strike this Vietnamese or any other, but if he did and General Barnes knew about it, then it was General Barnes' duty to take action and charge him with a war crime. And General Barnes' not taking action on such occurrence is exactly what the Herbert affair is all about.

"Once again from his own lips he has failed to report or take action on allegation of a war crime," Morgan said. "If what he said about Colonel Herbert were true, he was under an obligation to proceed against him."

In the Sun-Times article, Barnes was quoted as saying that Herbert failed to "play his part as a member of the brigade team," antagonized the brigade staff and "gave me the gut feeling that he was a cold-blooded killer who would be disastrous in the coming pacification role."

The Sun-Times story said Barnes was unable to furnish specific details concerning some of his charges and said he formed many of his impressions about Herbert through reports from staff officers.

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