Resisting the Rap With Sterilized Innocence

A Commentary

By Nicholas von Hoffman

Most politicians under attack in the press learned long ago that a generalized counterattack against the whole media is smarter than a response directed toward an individual tormenter. If a politician swings back at me by name, I know I'm getting to him and it can't help but egg me on.

That's why I was surprised and mildly pleased to get a phone call from Howard Phillips, the man who was judiciously deposed as head of OEO for holding the office illegally without Senate confirmation. Phillips had called to say that I had maliciously, untruthfully and viciously defamed and libeled him for writing a column calling him a monster because he had been the head of OEO when one of its local agencies had sterilized two black children in Alabama.

The upshot was that Phillips and I met for dinner. In the newspaper business you sometimes do have dinner with people you regard as monsters, although sitting across the table from him he didn't look like a guy who took pleasure in mutilating small children. In fact, he said he had three of his own and, "as a Jew, it's just a matter of self-interest for me not to be a bigot."

Phillips is a big man, more forceful and loquacious than brilliant, but likeable in that he gives you the impression that with a certain vaporous pomposity he does have some settled principles to which he attaches more importance than getting ahead. That, at any rate, is how he depicted himself in talking about his struggles as the head of OEO.

He repeatedly said that during his tenure in office he fought the idea of sterilization of anybody of any age as immoral; he offered to show me memos and records to that effect, and added, "I was constantly assured that sterilization was not taking place. I didn't know about it until it was made public."

Maybe the man was telling the truth and I had, indeed, maligned him. But how do you know? That phrase he used—"I was constantly assured"—was so reminiscent of his boss' Watergate language.

Not everyone associated with the administration can be guilty of everything they're accused of. Somebody has got to be innocent, and Howard Phillips may be, but there is no way, short of a major investigatory swarm, of finding out. The man offers to make his records public, and that is refreshing in the light of the fight over the tapes. Nevertheless, we've seen his comrades in government falsify records to conceal thousands of bombing raids carried out over a period of years. Hiding a little antiblack sterilization program shouldn't raise a scruple among such men.

If Phillips had nothing to do with this sinister business, he may have been a dupe, a figurehead boss from whom information about a sterilization policy was kept in a systematic way. Incredible, but that is what may have happened with former Air Force Secretary Robert C. Seamans Jr. and the Cambodian bombing. Richard Nixon said he ordered it but Seamans said he knew nothing about it. "I was not in the chain of command so it was not known to me," he told a reporter in words not so different from Phillips'. "I was unaware of that information until I read it in the paper two days ago."

It will be years before we can sort out who did what in the two Nixon administrations. In the meantime, there is no recourse but to say to Phillips, as I did the other day on the phone, "Look, you were the boss of OEO when it happened, so you're responsible whether you knew it or not." Either that or you play hunches as to who's lying and who's not.

Those aren't easy bets to make. Here's Phillips, the man tagged with the sterilization rap, the man who shot down the legal assistance program to the poor, saying that while the liberals were out to lynch him, "I ran afoul of the White House bureaucracy because in the wake of Watergate the technocrats said, 'We have enough trouble without that madman Phillips.'"

Phillips isn't the first administration conservative to complain about amorality at 1600 Pennsylvania Ave. Tom Charles Huston, the White House aide who wrote the famous memo proposing the use of burglary, has written of Richard Nixon's moral agnosticism: ". . . a congenital grandstander, always anxious to please and constantly concerned about his place in history . . . The President abhors confrontations, most particularly those based on philosophical convictions. . . . In the Nixon White House it was damn tough for a man of ideas to survive; for a man of conservative ideas and a modest dose of self-respect, it was virtually impossible." (The Alternative, June-September, 1973, issue.)

Whether or not Howard Phillips is a man with a modest dose of self-respect or a racist in conservative trappings, his fellow righties are giving him a testimonial dinner for what he did at OEO. Let's hope they're toasting the right fellow.