

Clayton Fritchey

Nixon-Agnew: 'Something

Question No. 1: What would happen if President Nixon died or was killed or otherwise incapacitated while a federal grand jury in Baltimore was hearing criminal charges against Vice President Spiro Agnew?

Answer: Since Mr. Agnew would almost instantly become President, the grand jury investigation would be left high and dry, for, as Chief Executive, Mr. Agnew could order the attorney general to stop the proceedings. No indictment could be returned against Mr. Agnew without his permission once he took over the White House.

Question No. 2: What would happen if Mr. Agnew were indicted and, in the middle of his trial, the President had a heart attack or was shot or was killed in a plane crash or otherwise incapacitated?

Answer: The Vice President again would become President within a few minutes. Overnight, he would be spending his time not in a courtroom but in the Oval Office of the White House. The trial would cease. The charges would be dropped. After all, the prosecutors would be working for the new President.

Question No. 3: Suppose the Su-

preme Court ordered Mr. Nixon to turn over the tapes of his Watergate conversations. What would happen if the President defied the order and hence put himself in contempt of both the court and Congress?

Answer: He would, of course, inevitably invite impeachment and, if the Senate found against him, he would be removed from office, thus again automatically making Mr. Agnew the President, regardless of the state of his own prosecution.

Is it conceivable that the most powerful nation on earth can go on indefinitely in this intolerable, nerve-racking, nightmarish state of surrealistic uncertainty? It cannot continue in this state of suspense. Something has got to give.

The thinking, the tactics, the strategy of the White House in dealing with Mr. Agnew change from day to day, but as of this writing Mr. Nixon seems to be avoiding any stand on the Vice President and his problems. But how can the head of the nation duck a concern of this magnitude? It is not enough to say he has problems of his own.

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Has Got to Give'

Mr. Agnew will have to resign. If he has a spark of patriotism, he will soon do so of his own volition. If not, Mr. Nixon must force him to quit, if necessary by agreeing to resign along with the Vice President. More and more, this looks like the only viable solution.

Mr. Nixon can read the public opinion polls as well as the rest of us. He knows, as we do, that despite his recent Watergate television speeches and his press conferences, his standing with the electorate continues to sink. Now only 35 per cent of the people have any confidence in him, and experience shows that this is not enough support to enable a President to govern effectively.

Even this thin support will further collapse if Mr. Agnew is indicted and the Supreme Court rules against the President on the tapes. As it is, the government is already at a standstill. With many Republicans often joining the Democrats in voting against Mr. Nixon, Congress can block most White House initiatives, just as Mr. Nixon, with his vetoes, has shown that he can knock out bills that have passed with large majorities.

This can't go on forever. There is a

limit to government by veto. Both parties in Congress are increasingly concerned over the stalemate. Republicans want to be loyal to Mr. Nixon. They have conscientiously, if unhappily, backed his vetoes. But most of them have to run for re-election this year.

In the light of all this, the solution advanced by Clark Clifford, Secretary of Defense under President Johnson, no longer looks quite as farfetched as it did a few months ago, before the charges against Mr. Agnew hit the headlines and before the White House tapes were revealed. Since then the situation has radically worsened.

Under the Clifford plan, both Mr. Nixon and Mr. Agnew would resign, with the latter retiring first so that the President, with the advice and consent of Congress, could name a new Vice President before resigning himself. Upon Mr. Nixon leaving the White House, the newly named Vice President, who would have to be acceptable to both parties, would succeed to the presidency. Not perfect, but surely better than three more years of a crippled, if not paralyzed, government.