

Agnew and The Story of A Trapped Fox

Washington

ONCE IN THE hills, a long time ago, I heard the cry of a trapped fox — a cry of pure pain, coupled with wild anger and resentment. There was a poignant echo of that cry in Vice President Agnew's speech to the Republican women last weekend.

I have such sympathy for the poor devil, and such contempt for the faceless "sources" who have trapped him, that it is difficult to write dispassionately of his plight. Yet he is, after all, Vice President of the United States. He is one heartbeat removed from the most powerful office in the free world, and his extraordinary statement has to be quietly examined.



James J. Kilpatrick

"I will not resign if indicted." This was his pledge, and in the steamy emotionalism of the hour, it is understandable that his partisan audience cheered him to the rafters.

Yet it is a pledge that, in the event, Mr. Agnew will have to reconsider. His first duty, as he himself clearly understands, is to the unique office he holds; and a keen sense of that duty in the end will govern his decision.

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UNDER THE Constitution, a Vice President has but one official duty: He is to preside over the Senate and cast a tie-breaking vote if the chamber is evenly divided. His infinitely greater duty, of course, is simply to stand by, and to keep himself prepared in every possible way for the moment when the heartbeat stops.

Those born in this century have known four such moments: September 14, 1901, when McKinley died of wounds suffered a week earlier; August 2, 1923, when Harding died in San Francisco; April 12, 1945, when Roosevelt succumbed to a stroke in Warm Springs; and November 22, 1963, when Kennedy fell to an assassin's bullet.

It is not morbid speculation — it is simple prudence — to recognize that such a moment could come again at any time.

At 60, Richard Nixon appears in excellent health; he is surrounded by every conceivable safeguard against accidental death or assassination; but Mr. Nixon is as mortal as other men, and he is the object, as every president must be, of fanatical hatred. We have to suppose the tragic moment may arrive.

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MR. AGNEW must ask himself if the shaken country, in such an event, could effectively be governed by a president under criminal indictment for bribery, tax evasion, and kickbacks. It is a terrible question to ask, but Mr. Agnew's own speech compels its public examination.

The question, in my own view, answers itself: The Vice President, if indeed he is indicted, would have to resign. His own understanding of his standby duty would leave him no other course.

In his Los Angeles speech, Mr. Agnew lunged in anger — justifiable anger — against his tormentors within the Justice Department. The persons responsible for the leaks to the press in recent months deserve all the condemnation he heaped upon them.

These sources presumably are lawyers, officers of the court, men bound by honor and tradition to respect the rights of an accused. They have behaved outrageously.

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AT THE SAME time, it is regrettable that the Vice President moved beyond these malicious gossips in order to attack the whole system of criminal justice. To describe this system as "poisoned," and to insist that he could not obtain a fair trial, is to impugn the Baltimore District Court without cause. Judge Walter Hoffman of Norfolk, who is presiding there by designation, is an experienced jurist, highly regarded by observers who have watched him grow on the bench. If the grand jury indicts, Mr. Agnew would be assured his fair day in court.

Like the trapped fox, the Vice President is already badly hurt. But the fox pulled himself free; he survived; he nursed his mangled paw and went on about his business.

Mr. Agnew has the same valiant spirit. He may yet limp away from this agonizing experience, wounded but triumphant, capable of running in the political hills again.

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