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The Vice President and the Investigation

Vice President Agnew has made a dignified and proper response to the disclosure that he is under federal investigation for possible criminal conduct. The United States Attorney for Maryland, Mr. George Beall, is pursuing broad allegations of kickbacks by contractors to Maryland politicians. It is necessary to emphasize that the prosecutors have not yet presented evidence to a grand jury, let alone obtained an indictment. Mr. Beall has only notified the Vice President that the inquiry is under way, and that it reaches his activities. Mr. Agnew has replied by declaring his innocence of any misbehavior, and asserting his confidence in the American system of justice.

By this statement of faith in the courts and their ability to bring out the truth, Mr. Agnew suggests that he does not intend to hide behind his high office. It appears that he does not choose to wrap himself in dubious interpretations of the Constitution, or in privileges questionably extracted from it. His words indicate that he is prepared to undergo the unpleasant necessity of this investigation as he would if he were still Governor of Maryland, or Executive of Baltimore County, or indeed a common citizen like any other. As a citizen, and a very prominent one, he is now entitled to have the rest of the country remember that many a man has come into court under the gravest charges and proceeded to clear himself completely.

The motive of the investigator is a question that sometimes crosses the mind when a leading politician comes under criminal investigation. In this case, the circumstances are reassuring. There is no reason to suspect any motive but the prosecutor's sworn duty to enforce the law. Mr. Beall was appointed by President Nixon. He is a

Republican, and the son of an old and distinguished Maryland Republican family; his late father sat in the United States Senate, and his older brother sits there now. The current kickback investigation has also reached Dale W. Anderson, the Democrat who is the current Baltimore County Executive. It is a nonpartisan inquiry into allegations of bipartisan misconduct.

This investigation into the possibility of kickbacks in Maryland is not connected with the series of scandals revolving around the Watergate incident and the financing of the 1972 national election. The kickbacks, if any actually took place, fall into a familiar if deplorable pattern of corruption. Unlike the issues being raised by the Watergate revelations, kickbacks are a kind of crime with which the American courts have had a great deal of experience.

But while the investigation of the Vice President is entirely separate from the Watergate scandals, it can only reinforce the sense of loss that many Americans feel as they regard their national government. It can only increase the sense of being adrift, as lawyers debate how to handle serious charges against men in very high offices—charges for which there is no precedent in our history as a nation. Our political and legal system is coming into a time of severe and unanticipated testing. The test, in the case of Mr. Agnew, is whether the U.S. Department of Justice and the federal courts, if it comes to that, can proceed as they would proceed with any other public official—rigorously, impartially and promptly. That is the tradition to which Mr. Agnew, in his brief statement, entrusts himself, and that is the hope to which most Americans will now turn.