

Agnew, Nixon and The Future

By Tom Wicker

Spiro T. Agnew's legal strategists now are said to be planning an attack in Federal court on the right of the Government to bring ordinary criminal charges against him. Their contention will be that under the Constitution a Vice President must be impeached, convicted and removed from office before he can be made to stand trial like any other citizen.

This is no doubt an effective strategy, because on such a thorny Constitutional question, with virtually no precedent for a guide, argument and appeal could go on for months, even for years. Then, if Mr. Agnew's theory prevailed, any criminal charges against him would have to be presented to the House of Representatives for possible impeachment; such an impeachment would result in a trial in the Senate, with a two-thirds majority required for conviction and removal. Another possibility is that the Department of Justice might opt, even before the Vice President's constitutional rights are argued out, for the difficult course of impeachment.

Anyway you look at it, this Agnew strategy means that the whole matter of criminal charges against him will take a long time to resolve, during which time he apparently has no intention of resigning. Possibly for the remainder of the sickened Nixon Administration or a large part of it, therefore, the nation will have a Vice President under a cloud at least partly of his own colleagues' making, whose political career probably has been destroyed already, but who might nevertheless succeed to the Presidency at any moment.

Already, it is clear that the same kind of long drawn-out, Chinese water-torture future is in store for various Nixon men, possibly the President himself, involved in one way or

IN THE NATION

another with the Watergate affair and all its odorous fallout. At least several years will pass before all the trials now sure to take place can be completed; no one can be certain whether charges not now visible may also have to be brought; and the Watergate prosecutor, Archibald Cox, is said to be planning to finish his professional career in that post. He is 61 years old.

In addition to the virtual certainty that the Agnew and Watergate matters will haunt this Administration—including its top two men—for the rest of its life, there is no historical parallel in this century to the scope and variety of all the inquiries, suits, trials and bargaining now going on in connection with the activities of a President and his closest associates.

One astonishing page—No. 26—of The New York Times for Sept. 24, 1973, tells the story. In just over two columns of type, under fifteen sub-heads, that page pulls together the present status of six Congressional investigations; five grand juries; five civil suits; the litigation over Mr. Nixon's tapes; two current prosecutions of six former Administration officials, including two Cabinet officers; two other officials who have pleaded guilty to criminal charges; seven men already convicted for the Watergate break-in; three men, including a former director of the F.B.I. and Mr. Nixon's former personal attorney who are expected to plead guilty to criminal charges; and an F.B.I., I.R.S. and Securities and Exchange Commission investigation of one of Mr. Nixon's closest personal and political supporters.

Seven companies were listed as having made illegal contributions to this extraordinary Administration; its relationship to another giant business concern is being probed by one of the grand juries for illicit campaign and other activities; the Secretary of Agriculture is the target of one of the civil suits, alleging that milk support prices were raised in return for a campaign contribution; and the Secretary of State is a target of another civil suit, alleging that he improperly wire-tapped one of his own associates. The President himself is the subject of a House subcommittee inquiry into whether he misused Government funds for his properties in Florida and California.

Several things therefore may be said with some assurance and they need saying. The possibility of corruption on such a scale and on so many fronts, for one thing, can hardly be the result of some plot by Democrats, liberals, the press or people unreconciled to Mr. Nixon's re-election last year. And if any or all of the alleged activities had other parallels in past Administrations, in no other were so many criminal actions on such a scale alleged to or suspected of so many so high in authority.

For these reasons, it is factious to argue that if Mr. Nixon can be shown to have known nothing of the Watergate break-in or its cover-up, then he is blameless for anything; and that once that narrow question is settled, he can lead the nation on to other "important business," as if nothing had happened. It was Richard Nixon's leadership that gave us Mr. Agnew, and an Administration now irreparably exposed as lawless, and possibly on a grand scale; and while he may cling to office by political guile, legal maneuver and Congressional reluctance, to do so aptly discloses whose interest he places first.