

William Raspberry

Agnew: 'Hanged Without a Trial'

Unless you are either totally devoid of feeling or totally convinced of his guilt, you have to have at least a little sympathy for Vice President Agnew.

The odds are against his having anything like a fair trial on the charges now, apparently, about to be made against him. And there is no chance whatever that he will survive the ordeal with his reputation and his honor intact—no matter if he never accepted a single bribe, did a dishonest favor or took an unwarranted dollar.

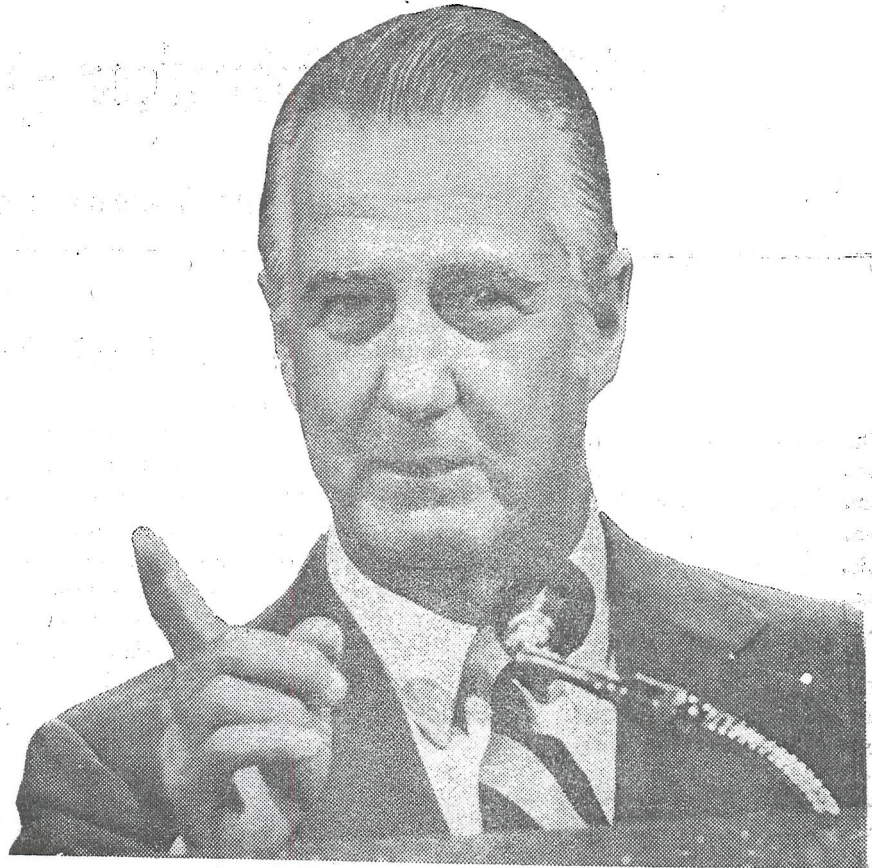
Agnew the politician is dead already, and Agnew the human being is close to it. In both cases, the fate may be deserved. The point is, he's been hanged without a trial.

No, that's a wrong figure; he's been drowned in a dambreak of leaks.

It is difficult for a politician to survive even the accusation of graft—especially a politician so high in the government. The natural assumption was that even the letter informing Agnew that he was under investigation would not have been written unless there was fairly solid evidence against him. Maybe that's not fair, either, but it's forgivable.

What isn't forgivable, in the name of justice, is that so many unchecked and uncheckable particulars of the allegations against him were made public, primarily through leaks to newsmen. For as a result, there is no longer simply a suspicion of wrongdoing hanging over his head; it has come to the point where many people only wonder how much graft he took, not whether he took it.

And because he already stands condemned without a trial, it strikes me as particularly harsh to chide him, as some have, for backing away from his



earlier statement of "confidence in the criminal justice system of the United States."

He asserted that confidence last month when he made his decision to meet head-on charges against him. He said then that he expected to be vindicated in the courts. But that was before he was convicted in the streets. When that situation changed, so did Agnew's chances of any meaningful vindication, except, perhaps, for staying out of jail.

Thus it does not seem unreasonable for him to be asking now that the House of Representatives air the charges against him—even publicly, on television, if it wants to. It is inconsistent, to be sure, particularly in light of his earlier condemnation of the Watergate hearings as complicating, not facilitating, the search for truth.

Because of the charges already floating around, many of which have been accepted as fact by too many of us, acquittal in court will have very little meaning so far as Agnew's reputation is concerned, unless he is able to prove beyond any doubt that all the charges are false. That seldom happens in any trial. What is more likely is that acquittal would come on a finding of insufficient evidence, reasonable doubt, inadmissibility of evidence or some such.

Any such outcome would keep him out of jail, but not much more. And the failure of the grand jury to indict him, for any reason at all, would fix his wagon good. For in that case, we'd all "know" he was guilty.

The congressional investigation Ag-

new has begged for wouldn't guarantee fairness, but it may offer the best possibility of it. The nature of the hearings is such that the public can get a clearer idea of what is going on than in a courtroom, with all the talk of objections and citations and precedents.

On TV you get a better look at the accused and the accusers, and you're able to form more satisfactory opinions as to who is to be believed. Agnew seems to think he could be convincing in such a forum—not that it would revive Agnew the politician; he's given up on that. But it might help rescue Agnew the man.

It shouldn't be necessary to say that this is neither an attack on the courts nor a brief for Spiro Agnew. An important aspect of the judicial system that Agnew once declared so much faith in is its provisions for an orderly disclosure of evidence, with opportunity for examination and cross-examination of witnesses, and challenges of their credibility. The courts, that is to say, are supposed to offer protection against what *already has happened* to Agnew.

As to the man itself, I personally don't care for him. And to be perfectly honest about it, I am not at all convinced that he is innocent of graft.

By the same token, some of the black victims of Old South lynch mobs may actually have forcibly raped white women. But guilt is no justification for lynching.

If Agnew is as guilty as many of us believe he is, we shouldn't be afraid to have it come out—the right way.

"The congressional investigation Agnew has begged for wouldn't guarantee fairness, but it may offer the best possibility for it."