

The Dam Cracks

By Anthony Lewis

BOSTON, Oct. 10—The Vice President of the United States resigns and is sentenced for a felony: It is shattering news for a troubled country. But it also carries a profoundly important reassurance.

There are institutions in this country upon whose honor we can still rely. Law and the courts did their duty in the case of Spiro T. Agnew despite the most enormous pressures of politics and emotion. The boast that the great are subject to our law as are the small has been vindicated in a way that must confound skeptics here and abroad.

None of that suggests any lack of sympathy with Spiro Agnew. Congressman Paul Findley put it wisely when he said Agnew had "done a great service to the country." The service lay especially in not confusing his own fate with America's.

Mr. Agnew's lawyers had undoubtedly advised him that he could put up a long fight against any indictment. His position as Vice President would have given him a substantial constitutional argument in his defense. And he knew he had widespread political support on the right and sympathy among many others who admired his directness.

But to fight on those legal and political lines would have put another damaging uncertainty unto the American system for months, perhaps years. Agnew evidently decided that sparing the country that burden was more important than keeping alive his personal hope of escape from the charges. It was a decision of honor and courage.

That Agnew confronted the realistic possibility of conviction was primarily the doing of Attorney General Elliot Richardson. In other jobs in the Nixon Administration some critics have thought Richardson displayed questionable resolve. But as Attorney General he has played the most difficult problems straight.

In the Agnew case he had to deal not only with novel legal propositions but with strongly pressed claims of unfairness in leaking of the charges against the Vice President. Richardson really destroyed the latter claims with his answer that the leaks did not come from the prosecution and could not be allowed to interfere with the course of justice.

If the dénouement of the Agnew drama shows the primacy of law in the United States, that lesson must

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have a powerful impact upon President Nixon as well.

In an immediate sense, there is ironic significance in the fact that Agnew finally pleaded no defense to the charge of income-tax evasion. For one of the doubts that shadows the President concerns his finances and taxes. After this, can the Internal Revenue Service refuse to look into the questions about his returns? Can Mr. Nixon continue to withhold publication of the facts on his real estate and other transactions?

But of course the President's fate may be affected much more deeply by what has happened to the Vice President. The country's natural sympathy for Agnew will surely arouse an insistence that others be judged by the same standards—an insistence that no one be above the law.

The great case of the President's tapes poses essentially the same issue. It is one thing, constitutionally and philosophically, to contend that a President is beyond actual criminal prosecution. It is quite another to argue, as Mr. Nixon does, that he may decide whether to obey orders of the courts. That proposition seems even less convincing now.

Another lesson of the Agnew case is that history is not an absolute bar to political change of Constitutional dimension in the United States. No Vice President had ever before been forced from office, but now one has. Nor has any President, until now.

One public reaction to this fresh shaking of the American system must be a feeling that the President should remain in office whatever his sins. The United States and the world face terrible dangers in the Middle East at this moment, and there will be a yearning for continuity. But there will also be a renewed sense of the resilience of our institutions—a strength greater than the person of particular office-holders.

President Nixon thus faces his most awesome responsibility. Rather than put his people to another terrible conflict of law and men, in the tapes case or others, he may eventually choose to resign himself. But whatever that decision, he owes to history now—and to himself—to nominate a successor Vice President who can help to heal a divided and disillusioned country.