

Another 'Agnew Deal'?

By Tom Wicker

IN THE NATION

WASHINGTON, Jan. 24—Richard Nixon is talking more toughly than ever about his intention to stay in the White House. He is talking so toughly that some Democrats have been reminded of Vice President Agnew, just before the latter's nolo contendere plea and resignation. But the best bet is that nothing like that is in Mr. Nixon's mind.

Mr. Agnew, it will be remembered, was all the while plea-bargaining with Elliot Richardson, then the Attorney General, and his pledges to fight for his job apparently were meant to persuade Mr. Richardson and Mr. Nixon that they would have a hard time ousting the Vice President unless they made a deal to protect him from prosecution. Ultimately, they did.

So, when Representative Wilbur D. Mills of Arkansas, one of the most powerful men in the House, said that he favored a bill that would guarantee Mr. Nixon immunity from prosecution if he left office, and when House Majority Leader Tip O'Neill came out strongly for Mr. Nixon's resignation, some suspicions were aroused that "an Agnew deal" was in the making between House Democrats and Mr. Nixon. The latter's vigorous assertions that he had no intention of quitting only seemed to complete the Agnew parallel.

After all, not many House leaders of either party would welcome an impeachment vote. The Republicans don't want to have to judge one of their own, no matter how much of an embarrassment he may seem. The majority Democrats, on the one hand, shrink from the political onus of impeaching a landslide President of the other party; on the other hand, they are not sure an impeachment vote could be carried, as things now stand. No one on either side of the aisle, moreover, can be sure what the ultimate public reaction would be, either to an impeachment, or to a failure to impeach.

On the face of the matter, therefore, both parties might seem to prefer Mr. Nixon's resignation—particularly the Republicans, who could then face the 1974 elections with a new President and a new Vice President, and possibly 1976 with an incumbent team. The Democrats, who run the House, would at least be off the spot on the touchy impeachment question.

But there are at least three good reasons why probably no "Agnew deal" is being made (aside from the fact that no one would admit to it). One is that many Democrats are too worried about the way in which Mr. Nixon might resign; as they see it, if he chose to leave with a blast, picturing

himself as a patriotic martyr so hounded by his liberal opponents that he could no longer govern the country he loves, the political bitterness that would result might be more damaging to the Democrats than anything else. In this view, the only safe resignation would be one in which Mr. Nixon admitted to at least some degree of guilt; but that would make it all the more difficult for a Democratic Congress to vote him immunity from prosecution.

An immunity bill would be difficult enough to pass, in any case. If it could be made constitutional, it still would be hard to justify politically, particularly since it would surely have to apply to all Presidents, not just to Mr. Nixon, and since it would legislate a dramatic double standard of justice. (It also would be a sort of amnesty bill, something Mr. Nixon himself has denounced for draft resisters.)

Finally, the opinion seems widespread here that, so far from making any kind of resignation deal, Mr. Nixon has entered into a last-ditch fight for self-preservation. Abandoning any real hope of recovering the prestige and credibility he had a year ago, he now—in this view—intends at all costs to cling to his office and avoid the possibility of prosecution. The evidence usually adduced is his abandonment of Operation Candor, his threat not to cooperate with the House impeachment inquiry, and what seems to many of his critics to be the obvious destruction of evidence by someone in the case of the tape erasures.

Seen in that light, Mr. Nixon's tough talk seems to be more nearly an effort to scare off a House of Representatives already nervous at the prospect of an impeachment vote in an election year. He is saying that none of its members should expect him to take them off the hook or to make it easier for them—that if they want him out, they will have to take strong and risky action themselves. And few of them are unaware that in his State of the Union Message and subsequent Presidential acts, he will have an opportunity to go on the offensive.

Maybe Mr. Nixon will yet fold under pressure; or maybe his fighting stance and powers of office somehow will pull him through. But with Special Prosecutor Jaworski's indictments about to come down, and with other trials about to begin, a stand-up-and-be-counted impeachment vote in the House seems more than ever the only outcome that could fit the case.