



CENTER FOR THE STUDY OF DEMOCRACY

... a joint project of St. Mary's College of Maryland and Historic St. Mary's City

# Spiro Agnew and the Golden Age of Corruption in Maryland Politics: An Interview with Ben Bradlee and Richard Cohen of *The Washington Post*



*Edited by Charles J. Holden and Zach Messitte*

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## **The Center for the Study of Democracy: A Better Understanding of Maryland and the World**

There have been forty-three Presidents and forty-six Vice Presidents of the United States. Spiro Agnew is the only Marylander ever elected to either national office. Born to a Greek immigrant father in Baltimore in 1918, Agnew attended Johns Hopkins University and the University of Baltimore Law School. He served in the U.S. Army in Europe during World War II and was awarded the Bronze Star.

Agnew served as Baltimore County Executive from 1962-1966 and as Governor of Maryland from 1967-1969. He stepped down as Governor to serve as Richard Nixon's Vice President from 1969-1973. In 1973, he resigned the vice presidency and pled no contest to charges of tax evasion. After his resignation he wrote a novel, pursued a career as an international businessman, and maintained a beach house in Ocean City, Maryland where he died in 1996.

Despite Agnew's fascinating political career, no one has yet written a definitive biography about Maryland's only vice-president. Richard Cohen, a syndicated columnist for *The Washington Post*, covered Annapolis for the newspaper in the early 1970s and broke many of the stories in the fall of 1973 that chronicled Agnew's legal travails. Cohen, along with fellow journalist Jules Witcover, authored a book about Agnew's political career and the investigation that brought him down, *A Heartbeat Away*.

Cohen along with his editor at the *Post*, Ben Bradlee, agreed to be interviewed extensively for the Center's second occasional paper, **Spiro Agnew and the Golden Age of Corruption in Maryland Politics**.

The Center for the Study of Democracy celebrates Maryland's history by contributing to the scholarship and understanding of the state's past, present and future. The National Endowment for the Humanities (NEH) recognized the intellectual importance of our mission in 2004 by awarding the Center a \$500,000 challenge grant to endow our future. We have until April 2008 to raise \$1.5 million in new donations in order to receive the full grant. The Center successfully met its first fundraising goals, however, we need your support now more than ever.

Fall 2006 will bring political candidates to St. Mary's College of Maryland to meet with our students, visiting scholars and lecturers, an internship program to promote government service among young people, a voter registration drive and an international exchange program with students from developing democratic countries. I hope that you will visit our web site at [www.smcm.edu/democracy](http://www.smcm.edu/democracy) to learn more about the Center's ground-breaking programs that are helping young people better understand the challenges of a democratic society.

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*In the history of American presidential politics no one has risen quite so far and fast (and then fallen quite so hard and suddenly) as former Maryland Governor Spiro T. Agnew. In 1960, running as a first-time candidate for public office, he finished fifth in a five-way race for Baltimore County Circuit Court Judge. Eight years later, as Richard Nixon's running mate, Agnew was elected the 39<sup>th</sup> Vice-President of the United States. November 2006 marks the fortieth anniversary of Agnew's election as Governor of Maryland.*

*On November 11, 2005, Richard Cohen, an award-winning Washington Post syndicated columnist, delivered the Fourth Annual Benjamin C. Bradlee Distinguished Lecture in Journalism at St. Mary's College of Maryland. His talk focused on the use and importance of confidential sources in reporting. However, Cohen opened his speech by remembering his early years as a reporter at the Post (1970-1974) covering Maryland politics and Agnew:*

*In my days covering Maryland, the Governor [Marvin Mandel] was convicted of corruption – later overturned on appeal – and the former Governor, Spiro Agnew, then the Vice-President of the United States pleaded guilty to charges of tax evasion. Also convicted [on a variety of charges] were the County Executives of Anne Arundel County [Joseph W. Alton] and Baltimore County [Dale Anderson], the Baltimore County State's Attorney [Samuel Green Jr.], the Congressman from the first district [William O. Mills <sup>1</sup>], a Baltimore State Senator [Clarence Mitchell III], the Speaker of the House [A. Gordon Boone <sup>2</sup>], a U.S. Senator [Daniel B. Brewster], and a member of the House of Delegates [James A. "Turk" Scott] who was flushed out of the State House by U.S. Marshals because he was wanted on drug charges... [Ben] Bradlee was right. Covering Maryland spoiled me. I loved it so thoroughly that to this day I miss it.*

*St. Mary's College of Maryland Associate Professor of History Charles J. Holden (CH) and Assistant Professor of Political Science Zach Messitte (ZM) interviewed Richard Cohen (RC) about covering this chaotic time in Maryland's political history. The group met at the historic Porto Bello Farm in Drayden, Maryland, the home of Washington Post Vice President and Editor-at-Large Ben Bradlee (BB).*

## **On Covering Maryland Politics for the Washington Post**

**Charles J. Holden:** You called Maryland [in the early 1970s] a golden age of corruption.

**Richard Cohen:** It was wonderful.

**CH:** What was that like?

**RC:** It was heaven. I didn't realize how good it was. I just thought that, well, this was the way it was

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1 The Watergate hearings disclosed that Congressman Mills had accepted \$25,000 from the Committee to Re-elect the President (CREEP) and had not reported it as required by Maryland law. Disgraced by the revelations, Mills committed suicide in 1973 before he was convicted. For more detail on corruption in Maryland in the early 1970s, see Richard Cohen and Jules Witcover, *A Heartbeat Away* (New York: Viking Press, 1974) 34-51.

2 Speaker Boone was indicted in 1963 (prior to Cohen's tenure with the *Washington Post*) in connection with a scandal in the Maryland savings and loan industry.

all the time. As a reporter at the *Post* there's three equal parts of the local side of the paper: there's Virginia, the District, and Maryland. In those days Virginia didn't count for much. The District always was the focus. Maryland was starting to run away with it because of all these corruption cases and because they were so incredibly colorful. So it was great, it was a feast because every time you turned around there was something.

**CH:** Was it a variety of corruption or all pretty much money and kickbacks?

**RC:** With one exception it was all money. It was all kickbacks and bribes. It was just part of the system [of state politics]. There was one that wasn't, it was a carnal bribe.<sup>3</sup>

## Spiro Agnew's Rise to the Vice-Presidency

*As a politician, Agnew masterfully took advantage of the fissures that appeared in the Democratic Party in the 1960s. The New Deal alliance of conservative, southern Democrats and liberal, northern progressives began to fray as the civil rights struggle, the U.S. involvement in Vietnam, and maintaining "law and order" divided old political coalitions and created new ones. "The silent majority" and "the southern strategy" were buzzwords of the Republican Party during Agnew's meteoric rise through local, state, and national politics. Maryland, a border state, "combined the worst of the Northern big-city machine with the worst of the Southern courthouse tradition."*<sup>4</sup>

*Agnew, who had switched his party affiliation from Democrat to Republican in 1946, took advantage of a bitter primary battle between two Democratic political bosses and was elected Baltimore County Executive in 1962.<sup>5</sup> The Democratic Party dominated Maryland politics in the 1960s (and still does to a lesser extent).<sup>6</sup> By 1966, after only one term in office, Agnew was already one of the most important Republicans in the state and ran unopposed in the primary for Governor.*

*Once again, Agnew benefited from a divided Democratic Party. Congressman Carleton Sickles and Attorney General Tom Finan split the progressive majority of votes in the 1966 Democratic gubernatorial primary. George Mahoney, a perennial candidate, running on the patently racist slogan, "A Man's Castle Is His Home – Protect It!" won the Democratic primary with a plurality of the vote. Many Maryland Democrats crossed party lines and voted for Agnew in the general election. He became one of only five Republican governors of Maryland elected since the end of the Civil War.<sup>7</sup>*

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3 Samuel Green Jr., the Baltimore County State's Attorney, was indicted for accepting a "carnal bribe" from an accused shoplifter and then reducing the charges against her.

4 Cohen and Witcover (1974) 49.

5 Robert Marsh, *Agnew: The Unexamined Man* (New York: M. Evans and Company, 1971) 29-32.

6 According to the Maryland State board of Elections in 2006, there are almost twice as many registered Democrats as Republicans statewide. Maryland's three most populous counties (Montgomery, Prince George's and Baltimore City) are heavily Democratic. Much of the rest of state either favors, or is trending towards, Republican voter registration. [http://www.elections.state.md.us/citizens/registration/March\\_2006.pdf](http://www.elections.state.md.us/citizens/registration/March_2006.pdf) (Accessed, July 11, 2006).

7 In 2002 Robert Ehrlich became the first Republican governor of Maryland since Agnew.

By all accounts Governor Agnew worked well with the Democratic legislature in his short stint in Annapolis. During the only two legislative sessions (1967 and 1968) he served, Agnew helped to reform the state's tax formula to shift the burden away from homeowners, championed the environment, and ended antiquated anti-miscegenation laws. He also banned discriminatory covenants in new housing developments. He took, however, a harder line on racial unrest. In the aftermath of rioting in Cambridge on the Eastern Shore, he held the black community at least partially responsible for the strife.<sup>8</sup>

An early supporter of Nelson Rockefeller for president in 1968, Agnew first caught the eye of Richard Nixon's campaign by dealing sternly with protesting black students at Bowie State College and his public scolding of Maryland's African-American leadership over rioting in Baltimore following the assassination of Martin Luther King.<sup>9</sup> Agnew placed Nixon's name in nomination at the Republican National Convention in August 1968, and one night later Nixon announced the Maryland Governor as his running mate. In his Convention acceptance speech Agnew cited "the improbability of this moment," a view which the media and many of Nixon's long-time campaign aides shared.<sup>10</sup>

Agnew quickly became a controversial Vice President. He gave speeches around the country, painted "the media," the liberal establishment ("radiclubs"), and the young people protesting the Vietnam War as national problems. Agnew would later put *The Washington Post* at the top of his list of "chief tormentors."<sup>11</sup> Known for his use of alliteration in his public addresses, Agnew had speechwriting assistance from future presidential candidate Patrick Buchanan

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8 Robert J. Brugger, *Maryland: A Middle Temperament* (Baltimore: Johns Hopkins Press, 1988) 621-622.

9 Referring in particular to black power advocates Stokely Carmichael and Rap Brown, Agnew excoriated the largely African-American audience, "I publicly repudiate, condemn and reject white racists. I call upon you to publicly repudiate, condemn and reject all black racists. This, so far, you have not been willing to do...If our nation is not to move toward two separate societies – one white and one black – you have an obligation too." Agnew's full statement at a Conference with Civil Rights and Community Leaders at the State Office Building in Baltimore on April 11, 1968 can be found in *Addresses and State Papers of Spiro T. Agnew, 1967-1969, Volume 2* (Annapolis: State of Maryland, 1975) 758-763.

10 In his memoirs, Nixon wrote, "Though [Agnew] had no foreign policy experience, his instincts in this area appeared to parallel mine. He had a good record as a moderate, progressive, effective governor. He took a forward-looking stance on civil rights, but he had firmly opposed those who resorted to violence in promoting their cause. As a former county executive...he had a keen interest in local as well as state government. He expressed deep concern about the plight of the nation's urban areas. He appeared to have presence, poise, and dignity, which would contribute greatly to his effectiveness both as a candidate and, if we should win, as Vice President. From a strictly political standpoint, Agnew fit perfectly with the strategy we had devised for the November election. With George Wallace in the race, I could not hope to sweep the South. It was absolutely necessary, therefore, to win the entire rimland of the South – the border states – as well as the major states of the Midwest and West. Agnew fit the bill geographically, and as a political moderate he fit it philosophically." Richard Nixon, *The Memoirs of Richard Nixon* (New York: Grosset and Dunlap, 1978) 312. *The Washington Post* wrote in an editorial that "Given enough time, Nixon's decision...to name Agnew as his running mate may be the most eccentric political appointment since the Roman Emperor named his horse a consul." "The Perils of Spiro," *The Washington Post*, September 25, 1968, A20.

11 Spiro T. Agnew, *Go Quietly...Or Else* (New York: William Morrow and Company, 1980) 177.

and future New York Times columnist William Safire.<sup>12</sup> Agnew, however, never considered himself part of Nixon's "inner circle."<sup>13</sup>



Zach Messitte (left) with Richard Cohen

**CH:** What's your earliest memory of Agnew?

**RC:** I didn't know him. When I got to the state he was gone, and Mandel was the governor. So I didn't have any memory of him, except that he was vaguely in my mind a reform figure. I'd come down from New York and I didn't know too much about Maryland. Then I got interested in the history of the state. You know Agnew was the legitimate alternative against [George] Mahoney. He seemed a moderate Republican, kind of a nice figure, a good-looking guy.

**Zach Messitte:** Why was Agnew, after only being a county executive for four years and governor for two years of a small state, picked to be the vice-president in 1968?

**RC:** He had this image as a moderate Republican. In fact he had been leader of the [New York Governor Nelson] Rockefeller [for President] Draft Movement. And then there were the [1968] riots in Baltimore...he took a hard line and it came to the attention of the incredibly sensitive Pat Buchanan who was working for Nixon. And he said to Nixon, 'Keep this guy. This is a good guy.' And so Nixon chose him as his running mate. It was a major surprise....There was a story, a famous

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12 Some of Agnew's alliterative speech has become part of American political lore. Democrats were accused of "pusillanimous pussyfooting" and "paralyzing permissive philosophy pervades everything they espouse." The media were categorized as "nattering nabobs of negativism," and "hopeless, hysterical hypochondriacs of history." Agnew's speeches as Vice President can be found in *The Collected Speeches of Spiro Agnew* (New York: Audubon Books, 1971).

13 Agnew wrote in 1980, "I was never allowed to come close enough to participate directly with [Nixon] in any decision. Every time I went to see him and raised a subject for discussion, he would begin a rambling, time-consuming monologue. Then finally the phone would ring or [White House Chief of Staff H.R.] Haldeman would come in, and there would be no time left for what I really had come to talk about...He preferred keeping his decision making within a very small group." Agnew (1980) 34.

story at *The Washington Post*, written by [reporter/columnist] David Broder saying that Agnew was on the short list, for Nixon's [running mate]. Broder thought so little of it that he put it way down at the bottom of the story. And it was only an editor who said "No, no, he's local. Put him up there." But nobody thought it was going to happen. It was like Dan Quayle. Where did Dan Quayle come from? It was because somebody thought that they had a good idea. And he was from a border state.

**ZM:** Agnew then seems to emerge as this lightning rod for Middle America. How does that transformation take place?

**RC:** Speech, his speechwriters. First of all, he was Greek, but he was a Protestant. He personified a lot of the anger that was building in American cities against minority groups. It's too early for affirmative action, but [Agnew was against] that mentality. He went out after the press in a big way. He had a very good speechwriter named Bill Safire.

**ZM:** He seems in many respects to be a harbinger for what many right-wing, conservative politicians are doing today: attacking the mainstream media and appealing to values. He's one of the early figures who galvanize what now has become a major part of American politics.

**RC:** The [Vietnam] War had produced rioting and the protest on college campuses, and it was all starting to build. There was a backlash. That backlash didn't exist four years before [1964] because the movements were just starting. So, the sixties really occurred in the seventies.

**CH:** It wasn't [Alabama Governor and 1968 Independent presidential candidate] George Wallace?<sup>14</sup> Wallace seems to be kind of a lurking figure in the Nixon-Agnew team.

**RC:** Wallace was important because Wallace showed there were both that kind of bigotry and that kind of resentment. Wallace's support in the South was not a major surprise because everybody expected he would do well. But it was Wallace's strength in Indiana which made people say wait a minute....it was a big surprise that there was a southern vote up north....Wallace showed it could be done, that there was something there.

## Covering the Scandal and Agnew's Resignation

*Reelected in a landslide in 1972, Richard Nixon could not constitutionally seek a third term.<sup>15</sup> Many considered Agnew a strong contender for the Republican nomination in 1976. By 1973, however, the Watergate scandal began to unfold on the pages of The Washington Post. The U.S. Attorney's Office in Baltimore also opened an investigation into political corruption in Baltimore County. Agnew had not been the County Executive since 1966 and prosecutors originally thought that he was beyond the five-year statute of limitations. Yet, in August 1973 the*

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<sup>14</sup> Maryland played an important part in George Wallace's political career. He did especially well in the 1964 Maryland Democratic presidential primary where he won more than 250,000 votes and 16 of the state's 23 counties against favorite son candidate U.S. Senator Daniel Brewster. Wallace was shot and crippled by an assassin's bullet in Laurel, Maryland, while campaigning for President in 1972. Donald T. Carter, *The Politics of Rage: George Wallace, The Origins of the New Conservatism, and the Transformation of American Politics* (New York: Simon and Schuster, 1995) 212-215 and 435-438.

<sup>15</sup> Nixon seriously contemplated dropping Agnew from the ticket in 1972 and replacing him with his Treasury Secretary John Connolly of Texas. Nixon claimed that Agnew was thinking about stepping down. Nixon (1978), 674-675. Republican Senator Barry Goldwater wrote that Agnew told him before the 1972 Republican National Convention that he was considering withdrawing from the ticket. Barry Goldwater, *With No Apologies* (New York: Morrow, 1979) 235-237.

Justice Department notified Agnew that he was under federal investigation for possible violations of bribery, conspiracy, and tax laws in connection with an alleged kickback scheme. Concurrently, the Nixon presidency, enmeshed in the Watergate cover-up, hung in the balance, and a constitutional crisis of presidential succession loomed large.

Throughout the fall of 1973 Agnew maintained his innocence.<sup>16</sup> He explored the possibility of taking his case to the House of Representatives and starting the impeachment process in order to avoid an indictment. By October 1973 Agnew and his lawyers were aware that the government had a very strong case. Privately, according to Agnew, the Nixon White House pressured him to resign.<sup>17</sup> Multiple individuals testified that they had paid kickbacks to Agnew during his tenures as County Executive, Governor, and Vice President. On October 10, 1973 Agnew resigned the vice presidency and pled *nolo contendere* (“no contest”) to tax evasion at U.S. Federal Court in Baltimore.<sup>18</sup> A judge sentenced Agnew to three years’ probation and a \$10,000 fine.

**CH:** You were a fairly new journalist at the *Post*; at what point did you sense that there was something really big with the Agnew story? Was it right away or did it sort of gather?

**RC:** What happened was that I heard these rumors in the [Maryland] legislature. They were going after Dale Anderson, the Baltimore County executive [who followed Agnew in office]....

**CH:** A Democrat.

**RC:** Yes. It was clear to some people that if they were squeezing Anderson then they were going to get Agnew. In retrospect now you wonder how anybody got away with it because thousands of people knew what was going on. You can’t have gotten all these bribes and shaken everybody down for all these years.... but everybody had a vested interest in keeping it quiet or limited. So there were guys in the legislature who clearly knew what was happening and to my utter dismay *The Baltimore Sun* was just totally asleep. I just started working the story, that’s all. And the legislative session ended and I kept going, and I talked to people, and for a while I was totally thrown off the track because I got lied to. The prosecutor said there’s nothing to it, there’s nothing happening. But I knew that something was happening. And then *The Wall Street Journal* started to break the story. They

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16 In August 1973 Agnew called the charges against him “damned lies” during a press conference after the story broke in the newspapers. On September 29, 1973 Agnew gave a fiery speech in Los Angeles to a group of Republican women, where he proclaimed, “I will not resign if indicted.”

17 Agnew recounted an early August 1973 visit from White House Chief of Staff Gen. Alexander Haig requesting his resignation. “I find it difficult to comprehend the callous self-interest which dominated the actions of the White House [in August 1973]. Bear in mind the President had not granted my request to see him. Without even an opportunity to be heard in my own defense, I was to be jettisoned, a political weight too heavy...” Agnew (1980) 101-104. Nixon, already reeling from Watergate, thought the Agnew resignation might take some of the pressure off his own troubles but soon realized he was mistaken. “The Agnew resignation was necessary although a very serious blow, because while some thought that his stepping aside would take some of the pressure off the effort to get the President, all it did was to open the way to put pressure on the President to resign as well. This is something we have to realize: that any accommodation with opponents in this kind of fight does not satisfy – it only brings on demands for more.” Nixon (1978) 1005. Strangely enough, Agnew received support from then Governor of Georgia and future President Jimmy Carter who phoned him less than a month before he pled *nolo contendere*. Carter told a press conference in Atlanta that “[Agnew] needed to hear a friendly voice.” Agnew (1980) 161-162.

18 Agnew was the second Vice President to resign from office. John C. Calhoun resigned as Vice President in 1832 over a dispute with President Andrew Jackson over tariffs and its effects on the southern states.

had a guy [Jerry Landauer] an investigative reporter. He had been on Agnew for years and he knew that there was something there. And he started to go with the story and I got wind of that. By that time, then I started making some calls, along with [*Washington Post* reporter] Carl Bernstein. And people who before were very quiet -- once it starts to break it breaks. And I had all the material, the background stuff. I did a number of stories after that, outlining the case: what the Feds had, and that sort of stuff. I hated it.

**“In retrospect now you wonder how anybody got away with it because thousands of people knew what was going on. You can’t have gotten all these bribes and shaken everybody down for all these years.... but everybody had a vested interest in keeping it quiet or limited.”**

**Richard Cohen**

**ZM:** You hated covering it?

**RC:** I didn’t like being an investigative reporter...it’s a lot of work...and Watergate had already started. So investigative reporting was it. The Baltimore Hilton filled up. It was like a convention. All the national press showed up, and all of a sudden I was up against everybody. I had to walk around, and I was new...I see these people that I only saw on television, these monster reporters, you know, these guys with great reputations, and I said, “I can’t take these guys on, I can’t handle all this.” And then sometimes some of these [reporters] would just make stuff up, and I’d be sitting there trying to defend stories that weren’t even true. I’d say, “Where did this come from? What’s going on?” There was one guy in particular who I walked up and said to him, “You’re talented, you’re really a great talent, but it’s in fiction. You ought to do something else for a living!”

**CH:** Do you remember a moment when you realized that Agnew might have to go?

**RC:** Not a particular one. It’s hard for me to know what I knew and what I learned later. Because in doing the book we debriefed everybody. Towards the end it became clear, I don’t know when it was, [but] they had a very hard case....This was a thoroughly corrupt man. He shook down everybody. He got a nickel a pack from the cigarette machines...He was shameless. Even to the point where he kept taking money as the vice-president.

**CH:** That’s quite a scene in *A Heartbeat Away* when [Agnew’s] in the Old Executive Building and the guy [Lester Matz] is shoving [money at him].

**RC:** The guy who gave [Agnew] the money was appalled. He couldn’t believe it. Paying off a governor is one thing, but the vice-president in the White House, he couldn’t get over it.

**ZM:** In your book [U.S. Attorney General Elliott] Richardson really does come across as heroic in many respects.

**RC:** He did his job. He was very straight. A whole bunch of people did their jobs, and did good jobs. The critical question always is, was it right for Agnew to get the deal? At the time I thought not because nobody should be above the law, and anyone else would have gotten jail. In retrospect

it probably made sense to clear him out. ...What's more important than a single man (in this case) is the system. And since nobody ever says anymore, "Agnew got away with it!" It's not like it's become part of American mythology. So I don't think it's been all that damaging.

**CH:** We were both surprised at how just suddenly Agnew just seemed to say, "All right, that's it, I'm done, I'm out of here."

**RC:** I never looked at it that way. I thought he just faced reality. He had to make a deal.<sup>19</sup> He always had. ...two tracks, and one was the political track and he was going make a deal. It was a very hard case. He could have gone to jail. And this was an opportunity to walk away and plead no contest and save some face among people for whom absolute integrity didn't matter. You know, like [Frank] Sinatra. He can say, "What did I do? I did what everybody else did. ....They got me because I was a Republican. They got me because I'm Greek." Some reason to distinguish himself from the others, to explain what happened.



Courtesy of Baltimore News American Collection, Special Collections, University of Maryland Libraries

*Spiro Agnew after his election as governor in 1966*

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<sup>19</sup> President Nixon recounted that in their final conversation before his resignation, Agnew told him that most governors in other states had followed practices such as those common in Maryland and that he had not done anything unethical. Nixon wrote that Agnew asked the President to help him get a foreign assignment or a corporate consultancy. Nixon (1978) 923.

## “The Gray-Haired Grandmother Defense,” Deep Throat, and “Subpoena Envy”

*In the early 1970s The Washington Post was at the forefront of investigative journalism and First Amendment/freedom-of-the-press issues. Perhaps best known are the Post’s publication of the Pentagon Papers in 1971 and Carl Bernstein and Bob Woodward’s coverage of the Watergate scandal from 1972-1974 which was captured in the 1976 film “All the President’s Men” starring Dustin Hoffman, Robert Redford, and Jason Robards.*

*Richard Cohen’s investigative work into Vice President Agnew’s scandal was an important part of this golden age at the Post. As he recounts in the interview, Cohen first learned (from Woodward and his once anonymous source Deep Throat) that Agnew had taken bribes. Deep Throat is now known to be Mark Felt, the Deputy Director of the FBI. The Federal Court in Baltimore also subpoenaed Cohen’s notes relating Agnew and thus was born “the Gray-Haired Grandmother Defense.” Towards the end of this section, Cohen recalls how more senior Post editors and lawyers brought him around to the gravity of the situation.*

**ZM:** You were there when he [Agnew] ran in the election in 1966 for governor?

**Ben Bradlee:** I remember when [Cohen and Jules Witcover] got your teeth in [Agnew]....And how exciting that was....The thing that I really remember, you won’t remember, was the subpoenas of your notes.

**RC:** Why wouldn’t I remember that?

**BB:** Well, because you didn’t have to, you just had to let Bradlee take care of that! I mean we had to develop a defense against that.

**ZM:** This was the [Washington Post publisher] Katherine Graham defense?

**BB:** The gray-haired grandmother defense, as it was called by Joe Califano.<sup>20</sup> That Katherine owns [the notes]. And Cohen doesn’t own the notes and Bradlee doesn’t own the notes, but this poor old widow...owns the notes.

**BB:** But then [Agnew] folded before that. He folded just before that ever was even arguable.

**RC:** The day I was supposed to appear in court is the day that he resigned.

**BB:** The day that you were supposed to be in court?

**ZM:** But you were actually there in Baltimore, ready to go?

**RC:** No, no, no. Califano would not let me go to Baltimore. He, for some legal reason, made me stay in Washington. I was supposed to testify and he said I wasn’t going to testify. He would have held me in contempt.

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<sup>20</sup> Joseph Califano was legal counsel to *The Washington Post* during the early 1970s. He later served as the Secretary of Health, Education and Welfare during the Carter Administration. He is currently the Chairman and President of the National Center on Addiction and Substance Abuse at Columbia University. In his autobiography, Bradlee quotes Califano: “The judge would throw Bradlee or Cohen in jail so fast it would make your head swim. Let’s see if he has the balls to put Kay Graham in the clink.” Ben Bradlee, *A Good Life: Newspapering and Other Adventures* (New York: Simon and Schuster, 1996) 371. For her part, Katherine Graham wrote in her memoirs that she was prepared to go to jail to defend Cohen’s notes and sources. Katherine Graham, *Personal History* (New York: Random House, 1998) 409.

**BB:** Who would have? You mean if you had been arrested in Maryland?

**RC:** There was . . . something like you have got to be within forty miles of the courthouse, and somebody at the *Post* had taken a long ruler or something and figured out we were forty-one point something miles from the courthouse. Califano, this must have been an old English kind of thing, was disputing the subpoena, I'm trying to remember this thing now -- that you were too far for the king's person to serve. That was it. I wasn't in Baltimore and I missed the whole thing.

**CH:** How worrying was the subpoena?

**RC:** Worrying? At first it wasn't at all because it made me famous. Meg Greenfield, who was then the editorial page editor of the *Post*, coined the phrase "subpoena envy."

**RC:** There were a bunch of us that were subpoenaed alphabetically -- I was first.



*Charles Holden (left) with Ben Bradlee*

**RC:** And then as the court date approached, it didn't get funny. . . . It was totally distracting. Nobody wanted to talk to me because I was about to go to jail and be tortured. . . . tell everything I knew. And last, but certainly not least, was I got a call from the prosecutors in Baltimore saying that they would try to get me out of the Baltimore City jail as fast as possible. And get down to Montgomery County and be incarcerated there. And I said, "Oh." And then the thought struck home that I didn't really want to spend more than six minutes in the Baltimore City jail. And there was a great possibility that I was going to spend at least a night there or more. And that was scary.

**CH:** You mentioned Carl Bernstein. How closely did your work come up with what they were doing?

**RC:** I can't really remember anymore if I went to Woodward or if Woodward came to me, but I knew Woodward from when he was with *The Montgomery County Sentinel* and he was in Annapolis. I didn't know him, I used to nod to him. I didn't dare to talk to him because he came from a small

newspaper. But he was the one who told me that Agnew had taken bribes and that his friend had told him. I wrote this, this is how I knew [Deep Throat] was Mark Felt.<sup>21</sup>

**ZM:** So that's how you knew it was Mark Felt?

**RC:** Well I didn't *know* know, but I pretty much knew that it was Mark Felt. I was working closely enough with Woodward....so that I saw, I wrote this, I saw his notes "MF." And he then later said "My Friend," that it was a code for "My Friend," but you know, it didn't matter. At any rate, so, I always assumed that the FBI had the goods on Agnew for a long time and buried it. It would be just like [FBI Director J. Edgar] Hoover to know this was going on or to have the raw info on it and just keep it in a file just in case Agnew did become president. Hoover would do it to squeeze him....I love those past scandals. I hate these scandals today, they're just about nothing.

**CH:** Did you continue to cover Maryland then [after Agnew's resignation]?

**RC:** No, that was the end of it for me. I went off and did the book with Witcover and then I came back and the *Post*, fearing my power--

**BB:** What did he say? I didn't hear him? Where'd you go?

**RC:** Witcover and I took six weeks off to do the book. We did the book, I came back, found out that I was transferred to the city side. [Bradlee] had nothing to do with this so don't feel guilty. And I reported to duty and they sent me out to cover a garbage fire. I'll never forget it. I said, "I'm not spending my life reporting to little people."

**BB:** We don't like to let [reporters] get swelled heads.

**RC:** That was part of it....can't let them get swelled heads....and I didn't. I remain humble to this day. And legitimately so.

**ZM:** Was [Bradlee] doing your editing?

**RC:** Ultimately he was the editor.

**BB:** The things that I would see would be at the very end of his reportage when it looks like we're going into the slammer....if we make a misstep.

**RC:** [Bradlee] said one time, I'll never forget this....I was just this punk, and I got called in because I was basically in Annapolis....And I got called in. There was a meeting in Bradlee's office and...

**BB:** This could be true, or this could be false.

**RC:** It is true, it is true. And there was you and [Washington Post Managing Editor] Howard Simons and David Broder and three four other people, and me. And Broder had gotten from a source the fact that Agnew was attempting to go the impeachment route. He wanted to be impeached. And he was being turned down. I think that was the story.<sup>22</sup>

**BB:** Turned down by? By the Nixon people?

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21 Richard Cohen, "Mark Felt's Viewpoint: Worthy of Deep Throat," *The Washington Post*, November 16, 1980, B1.

22 In *A Heartbeat Away*, Cohen and Witcover recount Agnew's letter to House Speaker Carl Albert less than three weeks before he eventually resigned attempting to seek "a full [congressional] inquiry...in the dual interests of preserving the Constitutional stature of my office and accomplishing my personal vindication." As future sitting presidents would also claim unsuccessfully, Agnew argued that criminal proceedings could not take place against a sitting President or Vice President. Albert denied the request, citing the precedent of the court. Cohen and Witcover (1974) 256-257. Agnew claimed that the Nixon and his aides secretly torpedoed the House inquiry over their own worries that "there were plenty of people around who would want to make it a doubleheader." Agnew (1980) 141.

**RC:** By the Senate - by important Republicans. [Arizona Senator Barry] Goldwater was one who said, “No, if you’re a crook, we don’t want you, get out of here.”<sup>23</sup> I remember you saying to Broder, “Is this a good source?” And Broder said, “Yeah.” He didn’t ask who the source was. And so Ben said, “Let’s go with it.” And so the news editor said, “Where?” And you said, “Page one...” I have to think hard about it because I’m not sure if you did this in real life or in the movie “All the President’s Men”. I’m not sure if you went “I’m outta here, call me at home.” But you did. You got up and went. I said, “Wait a second, don’t you want to talk about this for several hours? I mean, this is important.” And it was over. That I remember you doing. And [another time] I remember walking into your office. And Kay [Graham] was there. And Califano. And Gregory Craig.<sup>24</sup> Remember Greg Craig?

**BB:** Greg Craig was a young lawyer.

**RC:** Who later became one of Clinton’s [defense] impeachment lawyers. He defended him on the floor. And Greg and a whole bunch of people and I had been subpoenaed. And the guy with the subpoena was there and I heard somewhere along the line that they have to touch you with the subpoena. And I don’t know where I got that from.

**BB:** To be served you have to make physical contact with him.

**RC:** That’s what I thought. The guy comes over and he, and he gives me the subpoena and I jump back. I wouldn’t let him touch me. Califano says, “What are you doing?” And I said, “I’m not going let him touch me!” [Califano] said, “Don’t be stupid! Take it!” So I took it. And then we went into Kay’s office. And with [*Washington Post* Metropolitan Editor] Harry Rosenfeld....And he said, “Richard, this is your lawyer, Joe Califano.” And I said, “Wait a second, there’s something wrong. It’s usually the Italian guy with a Jewish lawyer.”

**RC:** And Harry Rosenfeld blew up at me.... “You’d better stop kidding around,” he said.

## The Legacy of the Agnew Resignation

*Agnew never showed public repentance for his actions after he resigned the vice-presidency. In the opening line of his 1980 book he wrote, “I am writing this book because I am innocent of the allegations against me which compelled me to resign from the vice presidency of the United States.”<sup>25</sup> However, he acknowledged that he had to “live with another more subtle punishment...I am recognized all over the world. When people stop and stare at you,*

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23 Goldwater was sympathetic to Agnew during the period that led up to his resignation and acted as a go-between the Nixon Administration and the beleaguered Vice-President. After his resignation Goldwater urged President Nixon to appoint Republican National Party Chairman George H.W. Bush to replace Agnew. Goldwater (1979) 256-258, 263. Goldwater wrote in a later memoir that “a good number of people have said to me that I was wrong to offer Agnew any consolation – that he was a crook. But I do not lightly view abandoning anyone under fire. The Agnew case was a study in the contradictory character of Richard Nixon. He quickly deserted Agnew while asking me and millions of other Americans not to flee from him in his hours of trial and torment.” Barry Goldwater with Jack Casserly, *Goldwater* (New York: Doubleday, 1988) 265.

24 Gregory Craig worked with Joseph Califano as a legal counsel to The Washington Post from 1972-1974. He is a partner at the Washington law firm of Williams and Connolly.

25 Agnew (1980) 9.

you know some are thinking, "There goes Agnew, the guy who was kicked out of the vice-presidency."<sup>26</sup>

Disbarred from the practice of law, Agnew worked as an international business consultant throughout the 1970s and 80s. He also published a steamy Cold War thriller about a duplicitous vice-president, *The Canfield Decision* which sold moderately well.<sup>27</sup> Although he owned homes in Crofton and Ocean City, Maryland, Agnew's primary residence was Rancho Mirage, California where he moved to be closer to friend Frank Sinatra who had lent Agnew \$200,000 to pay off debts related to his 1973 resignation.<sup>28</sup>

**ZM:** You mentioned that you ran into Agnew later and talked to him. You didn't talk to him during the time he was an elected official?

**RC:** No, I saw him. Once or twice he had press conferences at the Old Executive Office building. The first time after the stories broke....They had this kind of amphitheater, auditorium, and I covered for the *Post*, and I came out thinking, "Either this guy is the world's greatest liar or he's innocent." I've never seen anybody put on [that kind of] a performance. I would have been shaking. He was just incredible. I couldn't get over how well he lied. One other time, I don't know how, after we did the book and everything, [Jules] Witcover and I went across the street from *The Washington Post* to the Madison Hotel and there was a lounge there. I don't know why, but anyway, we were having a drink or whatever and Agnew was just sitting there. And Jules knew him and went over and said hello and I stood there. Agnew started talking about maybe we could help him. He was trying to do a novel and he was having a problem with the first chapter. I thought, this is the weirdest conversation I've ever had in my life.<sup>29</sup> The guy wants me to help him with his novel? And that was the last I ever saw of the young man. That was it. Then years later I went to his house in Rancho Mirage, California to do a piece for *Rolling Stone* magazine.<sup>30</sup> He wasn't there because he used to go to Ocean City [Maryland] in the summer. There was always some idiot around who thought that Agnew was the key to success. For a while he had some influence....he got locked

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26 Agnew (1980) 222-223.

27 The Playboy Press published *The Canfield Decision* in 1976. The story focuses on fictional Vice-President Porter Canfield who is cheating on his wife and later charged with conspiracy and murder. Much of the prose is a departure from the strict public figure Agnew cut during his time in office: "In the rhythmic twisting and pulsing of the next fifteen minutes, he was conscious only of disjointed impressions: the little animal cries from Meredith; the carefully folded brocade bedspread on the side; the slight creaking of the bed as they reached a crescendo. Then his own flurry of endearments and groan of release during the rocketing to a delicious peak before plunging ecstatically into awareness of every vibrating curve." Spiro T. Agnew, *The Canfield Decision* (Chicago: The Playboy Press, 1976) 300.

28 Agnew's book, *Go Quietly...Or Else*, is dedicated to Frank Sinatra, a friend who, he wrote, "falls into a special bracket, a bracket of one." Agnew (1980) 177.

29 Agnew recounted an encounter with Witcover in Washington later in the 1970s in which he wrote, "Witcover knelt alongside me at the table and whispered, 'I'm sort of an Agnew student. I've written more about you than anybody else, and I'd like to write the story from your viewpoint.' I burst out laughing every time I think of the incident. After dipping his pen in poison to write two books about me, Witcover had the nerve to ask me help him write another!" Agnew (1980) 213.

30 Richard Cohen, "Did Crime Pay? Spiro Agnew: Pay Attention, All You Nattering Nabobs of Negativism," *Rolling Stone*, November 26, 1981.

out of Iran when the Shah fell. And he had some dealings with the Saudis, but then his King [Faisal] got killed....and the Saudis got embarrassed by Agnew. Agnew, after a while, was a pretty bitter anti-Semite. And he would say some things. He thought that he had been gotten by Jewish engineers, architects, who were the ones who were bribing him. There was a deputy U.S. attorney who was Jewish. He [Agnew] managed to find Jews in all the key positions. He forgot that the U.S. Attorney [George Beall] was not Jewish, the Deputy [Paul Kramer] was not Jewish, [U.S. Attorney General] John Mitchell wasn't Jewish, Richard Nixon wasn't Jewish.<sup>31</sup>

**ZM:** [U.S. Attorney General Elliott] Richardson wasn't Jewish.

**RC:** Richardson wasn't Jewish they say, but that is an understatement. You know, with a keen eye of an anti-Semite [Agnew] could see Jews everywhere. And he used to talk about that.<sup>32</sup> I was told, by somebody who represented the Saudis in Washington, that Agnew had become a liability...

**ZM:** He was largely a recluse then, for the twenty-odd years after?

**RC:** He did some sort of business, he got a piece of some coal business out of South Korea with some guy. You know there were these people who will pay to be with a celebrity. And [Frank] Sinatra carried him. Sinatra loaned him the money to pay the fine, and continued to pay.... I know that Sinatra put up the money to pay his fine, but after that I don't know.

**CH:** How about any of the other people involved, like [U.S. Attorney for Maryland George] Beall?

**RC:** They all sort of dropped off one by one. I think what's-his-name ran for office.<sup>33</sup> I don't know what happened to Beall.<sup>34</sup> His brother was the [U.S.] Senator.<sup>35</sup> And Barney [Skolnik]...I don't know what happened to Barney either<sup>36</sup>....He was the driving force in that office.

**CH:** If you were to write a postscript to *A Heartbeat Away* today, thirty years later, how does it look

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31 The Deputy U.S. Attorney Paul Kramer is, in fact, Jewish.

32 Agnew told the NBC program "Today" on May 11, 1976: "Zionist influences in the United States are dragging the U.S. into a rather disorganized approach in the Middle East." During this same time period he publicly claimed that Jews owned or managed much of the national media and criticized the "tremendous Jewish voice" in academia, the financial community, and among foundations. Gerald Posner, *Secrets of the Kingdom: The Inside Story of the Saudi-U.S. Connection* (New York: Random House, 2005) 82-83. Agnew maintained that his position was not anti-Semitic and that "he had the right to comment about a foreign nation, namely Israel." Agnew (1980) 162.

33 The Assistant U.S. Attorneys who made up the team that prosecuted Agnew included Russell T. Baker Jr. who served as U.S. Attorney for Maryland from 1978-1981. He ran unsuccessfully in the 1986 Maryland Democratic Primary for Attorney General. He wrote a weekly column for *The Baltimore Sun* until 1997. He is now retired from his law practice and lives in Howard County, Maryland. Ronald S. Liebman is a partner in the law firm of Patton Boggs and the author of a novel, *Grand Jury*.

34 George Beall served as U.S. Attorney for Maryland until 1975. He is a partner with the law firm of Hogan and Hartson in Baltimore.

35 J. Glenn Beall served one term (1970-1976) as a Republican member of the U.S. Senator from Maryland. He was defeated in the general election by Paul Sarbanes in 1976 and ran unsuccessfully for Governor in 1978.

36 Bernet Skolnik remained in the U.S. Attorney's office in Baltimore throughout the 1970s where he led a special unit on public corruption. Skolnik was detailed to U.S. Department of Justice in the late 1970s where he worked on the prosecution of the former Deputy Director of the FBI, Mark Felt (now known to be Deep Throat) for ordering FBI agents to break into the homes of the Weather Underground. Felt was convicted of conspiracy to violate civil rights but later pardoned by President Reagan. Skolnik lives in South Portland, Maine and no longer practices law. (Bernet Skolnik, telephone interview with Zach Messitte, June 27, 2006).

from here as opposed to 1974?

**RC:** The only thing I can always think of is that it was, if it hadn't happened during Watergate, people would know about, it would be a really interesting mini-drama. I mean it's not World War II or anything of that sort but...it so easily got subsumed by Watergate and went away.<sup>37</sup> But there's a hell of a moment when you've got a president hanging from his fingernails and a vice-president about to be indicted, and if you're the attorney general of the United States or you know about this, you can't think of a more dramatic moment. I mean the whole government is about to come apart. The framers couldn't have predicted it.

**ZM:** Given the way scandals have evolved in Washington in the years since [Agnew's resignation] where people largely beat scandals by riding them out, could Agnew have ever ridden this out?

**RC:** Who beat scandals?

**ZM:** Iran-Contra, Monica Lewinsky-type stuff.

**RC:** Well, you know those are the new kind of scandals, those are not about money. Scandals that are about ideology or abuse of power or something of that sort, they're easier to negotiate because those are political scandals and you fight them with politics. When you've got your fingerprints on the fifty dollar bills, that's tougher. When the IRS, the Treasury Department does a net worth investigation of you and finds out that the year that you made 100-thousand [dollars] you spent 200-thousand [dollars]...you have a lot of explaining to do. And you can't just come back and yell and scream about it, "You have no right to ask me this." They go through and do a chemical analysis of the ink and say how come this ink is different, that's tougher. And they had witnesses! And the witnesses had books, and records. No, there was no way out for [Agnew]. What he could have done...if he hung in there, which is one of the things he tried to do, was insist on being impeached. And that would have strung it out. It's not clear what would have happened. I mean it was never clear if you could indict a sitting vice-president. It still isn't. Or you have to impeach him, get him out of office and then indict him. If he, if he just stayed in long enough and so screwed up the process, something might have broken his way, you never know. That's the one thing I learned covering the legislature is that if you can only keep the legislature in session, anything can happen, because you put together 120 really stupid people and get them sleepy you don't know what's going to happen.

**CH:** How much impact did the Agnew scandal and the other scandals change Maryland politics, if any? Did it kind of set off a reform movement?

**BB:** Didn't last very long if it did!

**CH:** A brief, fleeting ripple of reform?

**RC:** What happened in Maryland was interesting...Maryland is one of these things like New Jersey. It's got the perfect culture for corruption. It's a one-party state essentially, so you don't have another

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<sup>37</sup> Agnew's resignation came in the midst of important domestic and international events. The Yom Kippur War erupted just days before Agnew resigned and the "Saturday Night Massacre" in which President Nixon fired Attorney General Elliott Richardson and his deputy William French Smith for their refusal to get rid of Watergate Special Prosecutor Archibald Cox occurred ten days after Agnew's resignation.

party watching. And the Republicans...in Maryland are accustomed to sharing. You know, they'll take what they can. You have all the conditions here for what you need for corruption, one big city [Baltimore] that dominates. But things have changed, It isn't what it used to be. What happened in Maryland is that you started to get strong U.S. attorneys and that made a big difference. Joe Tydings who was a U.S. attorney, Steve Sachs, some of the others.<sup>38</sup> They patterned themselves on U.S. attorneys in New Jersey, who, instead of waiting for crimes to come to them, went out and said, "Look, we know, because we can hear it in the restaurants what's going on in Baltimore. We know that Dale Anderson is a crook. Everybody knows he's a crook. Everybody knows Marvin Mandel is the governor of the state. He makes \$25,000 a year. Nobody can live on \$25,000 a year. His suits cost more than that. Look at the money. Look at the money these guys are putting out for political, for political club houses." ...They went out and looked for it. That tradition cleaned up the state.

## A Postscript

*Maryland voters did play an important role in cleaning up the state's political culture. In 1976 Marylanders elected Paul Sarbanes to the first of five terms in the United States Senate. Sarbanes, who retired in 2006 and was often cited as among the least personally wealthy of the members of the Senate, will probably be best remembered for legislation (Sarbanes-Oxley) which mandates financial and accounting disclosure information.*

*In August 1977 a jury found Governor Marvin Mandel, Agnew's Democratic successor in Annapolis, guilty of mail fraud and racketeering.<sup>39</sup> Mandel resigned the office and his Lieutenant Governor, Blair Lee III, took over. Maryland voters rejected Lee the following year in favor of Harry Hughes, a former legislator and director of the Department of Transportation. Hughes campaigned "to redeem our state from the morass and corruption into which it has sunk."<sup>40</sup> In the same 1978 election, Marylanders made United States Attorney George Beall's predecessor, Steven H. Sachs, the state's attorney general.*

*In January 1983 a court ordered Agnew to return more \$250,000 — the amount of the kickbacks he had taken and the interest on them — to the State of Maryland. Throughout the 1980s and '90s, Agnew maintained a low public profile, rarely granting interviews or appearing at political functions. He died at the age of 77 in 1996 while on vacation in Ocean City, Maryland. His public papers are housed at the University of Maryland's Hornbake Library in College Park, Maryland.*

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38 Joe Tydings was the U.S. Attorney for Maryland from 1961-1963 and a U.S. Senator from Maryland from 1965-1971. Steven Sachs was the U.S. Attorney for Maryland from 1967-1970 and Attorney General of Maryland from 1979-1987.

39 For an account of Mandel's problems with the law, see Bradford Jacobs, *Thimbletriggers: The Law v. Governor Marvin Mandel* (Baltimore: Johns Hopkins, 1984).

40 Brugger (1988) 652.

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