

Scholar Hits

Arguments Of St. Clair

NEW HAVEN, Conn., May 13 (AP)—James D. St. Clair, President Nixon's chief defense attorney, has resorted to "pseudo-history" in shaping the President's legal response to impeachment proceedings, says law historian Raoul Berger.

In an article published today by the Yale Law Journal, Berger accused St. Clair of using "farfetched theories," "selected snippets and half-truths" and "sheer effrontery" in molding his arguments.

St. Clair, a graduate of Harvard law school where Berger is a fellow, is among those who contend that the Constitution provides for impeachment only for criminal offenses.

Berger, whose book, "Impeachment: The Constitutional Problems," was published in 1970, contends that the Constitution also leaves impeachment open to crimes against the state.

Berger criticized some of St. Clair's use of history as "examples of discriminatory selectivity which a lawyer employs to acquit a client, but which hardly comport with the duty of one who professes to give a faithful historical account."

St. Clair "wraps himself in a cloak of pseudo-history," Berger wrote, and "leaves himself open to the suspicion that he is not so much engaged in honest reconstruction of history as in propaganda whose sole purpose is to influence public opinion in favor of a client who is under grave suspicion."