

The case of Jacques Cheminade: violation of human rights in France

by Our Paris Bureau

The case of Jacques Cheminade, president of the Solidarity and Progress Party in France and longtime ally of Lyndon LaRouche, is the best example of the brutality the French nomenklatura is prepared to use against its political opponents.

During the 1995 Presidential elections, a relatively unknown political candidate, Jacques Cheminade, appeared on the French political scene. No sooner had he announced his candidacy, than a virulent, nationwide slander campaign was launched against him, aimed at portraying him as an extreme right-winger and a thief. This smear campaign was intended to prevent people from becoming interested in Cheminade's message, at a time when corruption scandals have considerably degraded politics in the population's esteem.

The smear campaign however was soon to be followed by something even worse: the refusal by the state, for the first time ever in the Fifth Republic, to cover an officially certified candidate's campaign expenses, which in Cheminade's case amounted to 4.7 million francs. This refusal, which was announced after the campaign, and after the money had already been spent, led to the virtual bankruptcy of the former candidate.

False allegations

The witch-hunt against Cheminade goes back to the 1980s, when a corrupt right-wing mafia lawyer, Maître Pascal Dewynter, and the children of the late Mrs. Denise Pázery, who had been a Cheminade supporter, launched legal action against Cheminade and three of his friends, accusing them of fraud.

Mrs. Pázery became a sympathizer of Cheminade's movement in 1982, when she became acquainted with their efforts to fight drugs. Among the reasons Mrs. Pázery mentioned as having led her to support the movement, was its attacks on Henry Kissinger. Indeed, Mrs. Pázery's deceased husband, a consultant at the Anglo-American firm Archibald and Cox, had often spoken to her of the rotten practices of the former secretary of state. Other reasons for her support included the movement's fight against the deindustrialization of the Lorraine, France's steel and coal production area, where her family came from. At the age of 63, Mrs. Pázery, a rather

wealthy lady, had both the time and the desire to foster the well-being of her country by supporting such causes. Between 1982 and early 1986, she contributed a total of 1,197,000 francs (around \$200,000), to associations such as the Anti-Drug Coalition, the Fusion Energy Foundation, and the Schiller Institute. Of that sum, half were loans and the rest, contributions.

In October 1986, Mrs. Pázery died, and in March 1987, her family initiated legal action against Cheminade et al., accusing them of having defrauded their mother, in spite of the fact that the associations had already paid back 170,000 francs on outstanding loans and had never denied their intention to pay back all the loans.

The greedy heirs, however, wanted to get back all the money Mrs. Pázery had contributed to the associations—loans and contributions alike.

In 1987, a magistrate was named to carry out a preliminary investigation into the case, prior to any indictments being issued. In October 1990, after approximately four years of investigation, the magistrate gave one of the strong-

Police harass organizers

On Sept. 13, three political organizers associated with Jacques Cheminade and Lyndon LaRouche were detained by police in Paris for carrying signs that read, "Diana: Killed for Having Criticized the British Empire." They were hauled in, first, by the Anti-Criminal Brigades; their posters and literature were photocopied—including notably a dossier on the House of Windsor. Then, they were taken to the Judiciary Police station, where they were eventually released, more than three hours after the incident began.

The outrageous violation of the organizers' rights shows just how sensitive the French authorities are, to the crumbling of their cover-up of Diana's death.



Jacques Cheminade during his campaign for the Presidency, April 1995. Cheminade was subjected to a judicial railroad by some of the same institutions that have perpetrated the cover-up of the murder of Princess Diana.

est rulings possible: a “refusal to instruct.” This means that the magistrate did not see any reason to continue the investigation.

During these four years, however, the essence of the accusation and its political character became crystal clear. A *post mortem* assessment of Mrs. Pázery was made by doctors who now claimed that she had died of Alzheimer’s disease. This was an astonishing conclusion, since Mrs. Pázery lived alone, drove her own car, and had not been placed by her family under any kind of custody. The only “proof” offered was a brain-scan done in 1986. But, as Alzheimer’s experts know, only an autopsy can confirm a diagnosis of Alzheimer’s disease. No such autopsy was ever carried out on Mrs. Pázery, and the brain-scan itself showed no anomalies whatsoever! The accused, however—Cheminade and three of his friends—were not allowed to contest this “expert judgment,” because they had not yet been indicted.

The political nature of the case was obvious. The police notes which preceded the opening of the first investigation, already identified the “suspects” as LaRouche supporters. And Dewynter, lawyer of the Pázery family, raved several times about LaRouche, during confrontations among the magistrate, Cheminade, and the Pázery heirs.

Barely 24 hours after the ruling from the first magistrate, in an unusual and rapid move, the Justice Ministry—i.e., the François Mitterrand government—appealed the decision. A

second magistrate was named, who indicted the “suspects” and sent them to criminal court. Convicted of “theft” against a person said to have suffered from Alzheimer’s disease, Cheminade was condemned in June 1992 to a 15-month suspended jail sentence, and his three associates, to 13-month suspended sentences.

A Pontius Pilate-style ruling

The stench of the political witch-hunt was so strong, however, that the Appeals Court was forced to seek new expert opinion on the case. Indeed, not only did Mrs. Pázery live alone, drive her own car, and manage her own financial affairs, but she had kept up a yearly holiday correspondence with the “accused,” which they were able to present to the court, proving that she was both politically motivated, and also showed no signs of Alzheimer’s. The new expert consultation was supposed to determine whether Mrs. Pázery had Alzheimer’s, and if she did, whether this fact was noticeable to third parties.

On Jan. 16, 1996, the Paris Court of Appeals gave a Pontius Pilate-style ruling, in spite of the new expert opinion which, beyond certain ambiguities, was generally favorable to the “accused.” The opinion states that the “exact reason of the death is not really known,” but it was probably Alzheimer’s—while recognizing that “it is possible to admit that the state of Mrs. Pázery could have appeared to the eyes of non-

specialist third parties, as not much different than that of a normally aged person.”

The Court of Appeals maintained the conviction for theft, but reduced the suspended jail sentences for Cheminade to nine months, and to six months for the others, just under what was necessary to allow the accused to benefit from the usual Presidential election amnesty, which totally erases such convictions. The reasoning was probably that this would destroy Cheminade, without making of him a political martyr.

Continued assault on a Presidential candidate

In April 1995, months before the Court of Appeals handed down its ruling, Cheminade became one of the nine candidates for the Presidency of the Republic. The terror of the Paris nomenklatura can be imagined, when Cheminade was the very first to file the more than 500 signatures from elected officials required to participate in the Presidential election. The Constitutional Court had two weeks to check the validity of the signatures, before confirming a candidate. This time was put to use by the nomenklatura to circulate the rumor that the signatures might not be valid.

No sooner had the Constitutional Court confirmed his candidacy, than a massive smear campaign got under way, accusing Cheminade successively of being extreme right wing, of being the partisan of “American billionaire” (!) LaRouche, and of being a thief.

The slander campaign insinuated that Cheminade had manipulated the mayors who signed for him, and perhaps even bought their signatures.

Cheminade still had the right, however, to several hours of official national television and radio coverage, as well as to the distribution to all voters of his campaign platform.

The worst was still to come. In France’s Fifth Republic, the Constitutional Court reimburses all justified campaign expenses, according to the vote percentages obtained by the candidate. Every candidate, independent of results, however, has the right to a minimum 1 million francs advance, as soon as the candidacy is confirmed, and to a total of 7 million francs for justified campaign expenses. For the first time ever in the Fifth Republic, using trumped up pretexts, the Constitutional Court rejected Cheminade’s request for 4.7 million francs. Since the candidate is personally responsible for all campaign expenses, the Constitutional Court decision left Cheminade deeply in debt. It should also be noted that a big part of that money came from private loans to the campaign, from small contributors expecting to be reimbursed by the Constitutional Court.

The pretexts

The pretexts used by the Constitutional Court not to reimburse the Cheminade campaign are ludicrous and obviously politically motivated. The final date for all campaign contributions was set to be May 7, 1995. Beyond that date, however,

the candidates are allowed to balance out their accounts through loans, to the extent that those loans were contracted before the final date of the campaign, something which Cheminade did. The court, however, accused Cheminade of having agreed to pay no interest on those loans—in spite of the fact that there is no law in the nation that forces people to charge or not to charge interests on loans. The court claimed that the loans are, therefore, actually contributions, and that the fact of having received these contributions after the May 7 deadline is enough to disqualify the entire request for reimbursement.

To make sure that Cheminade would never recover from such an assault, the state proceeded, after the campaign, to attempt to recover the 1 million francs advanced to the campaign at its onset. The Interior Ministry first seized Cheminade’s personal bank accounts. Finding nothing there, in August 1996, a bailiff drew up an inventory for seizing Cheminade’s skimpy personal belongings.

The political witch-hunt

Nothing makes the political nature of the witch-hunt against Cheminade more clear, than the concluding statements made by the lawyer of the Pázery family in the trial:

“Cheminade and his accomplices harassed Mrs. Pázery, using the methods of Lyndon LaRouche, the intellectual master of Cheminade, severely condemned in the United States to 15 years in prison,” he stated.

“Different mayors, during the last Presidential campaign, testified that that they had given their signatures to the Cheminade campaign only after having been constantly harassed by his henchmen.

“Of all the candidates in the Presidential election, only Cheminade’s accounts were not approved by the Constitutional Court. . . .

“According to the Official Journal of October 12th 1995, ‘M. Cheminade benefitted from the sum of 2,340,000 francs, declared as gratuitous loans by physical persons.’

“This proves that M. Cheminade still receives large loans and that he continues his maneuvers to rob people. It is high time to bring his activities to an end.”

Those who condemned Cheminade are all political partisans of one stripe or another. Roland Dumas, the president of the Constitutional Court, former right-hand man of François Mitterrand, is a political enemy of Cheminade and was the lawyer in a political case against him. Olivier Schrameck, the secretary general of the Constitutional Council, who, in this official position, was the person who signed the decision not to reimburse Cheminade’s campaign expenses, is today the cabinet director for Prime Minister Lionel Jospin. Louis Gautier, who was at that time at the nation’s Court of Accounts, and who, in that capacity, examined Cheminade’s campaign accounts, is today a special adviser on defense issues in Jospin’s cabinet.