

# French court rubberstamps legal outrage against friends of LaRouche

by Jacques Cheminade

On Jan. 16, the 13th Chamber of the Paris Court of Appeals condemned me to nine months imprisonment for theft, and three associates of mine to six months imprisonment, all these sentences being suspended. At issue, was a suit, dating from 1987, brought against myself and my associates, by the heirs of a lady, Mme. Denise Pazéry, her heirs claiming that their mother, who died at age 64 in 1986, had suffered from Alzheimer's disease. This disability, said the heirs, was apparent to third parties, and therefore, Mme. Pazéry's loans and donations to my political cause were obtained by methods constituting theft under French law.

Although the sentences imposed by the Court of Appeals are lower than those of the High Court, and even though they be amnestied—in other words, they do not constitute a criminal record—clearly, my honor is besmirched, and great harm has been done to me. The court-appointed medical panel itself, in a written report submitted to the magistrates in May 1995, concluded that there is nothing which tends to prove that the lady was in a state of mental illness apparent to third parties at the time the acts at issue took place. This report strikes down unequivocally the only element put forward as constituting "theft." After this report was presented to the Appeals Court, in October 1995, and in the light of the rest of the evidence before him, the public prosecutor himself declined to ask the court to convict!

More important, however, is the overall thrust, the object of which is, both to crush the political movement I lead, and to ruin me financially.

The offensive began some years ago, and was provoked by the fact that I am an associate—and friend—of the American political leader Lyndon H. LaRouche, who at this time of writing, is running for the U.S. Presidency as a Democrat.

In 1974, I was living in the United States, being commercial attaché to the French embassy. I attended a political meeting at which Mr. LaRouche was the featured speaker. From that date on, and for several years, I was on the FBI's watch list. I have in my possession, documents proving that, as well as archive notes from the French political police, the Renseignements Généraux, which draw upon American reports, and which were used as background, to justify my being brought to trial in France.

On several occasions, pressure was put upon the French authorities in this respect. The true origin of so relentless a persecution, is the Anglo-American financial oligarchy, the which is proven by operations launched by Mr. Kissinger, McGeorge Bundy, and the entourage of Mr. Bush, leading to high officials of the U.S. Department of Justice intervening without respite against Mr. LaRouche.

Mr. LaRouche and myself are seen by these circles, as among their bitterest enemies.

During the 14 years that François Mitterrand was President of France, there was a greater willingness here to bend to outside pressures, given the predilection of the President for reactionary policies come from overseas. At the point I declared for the French Presidential election held April 23, 1995, the Anglo-American elites and their fellow ruffians here, decided to turn the screws, since my campaign, clearly, was a platform for ideas which they do intend to utterly stamp out.

The harassment unleashed by these groups during the Presidential campaign was shameless, to the point that even the mayors who lent their signatures to allow me to run for the Presidency, were contacted and advised to withdraw their support. It was intense, to the point that even the official "watchdogs" responsible for supervising the Presidential campaign, had to concede two things.

First, the Higher Council for Electronic Media (Conseil Supérieur de l'Audiovisuel), in a communiqué dated April 24, 1995, wrote: "On the television networks . . . equal time was granted [to the various candidates] . . . for the period between April 7 and 21, except for Mr. Cheminade."

Then, the National Commission to Supervise the Presidential Election, in a letter dated April 20, 1995, sent to me by Mr. Marceau Long, noted, that in certain programs where I was the issue, "equitable treatment was not really adhered to, when it came to presenting the candidates, their commentaries, and their declarations." These cautious remarks water down, what was nothing less than a coarse onslaught upon me, eschewing the most basic tenets of behavior between human beings. Needless to say, none of the other candidates was subjected to anything of the sort.

On Oct. 11, 1995, the Constitutional Council, headed by



Jacques Cheminade (left) on the campaign trail during his Presidential campaign in France in May 1995.

Mr. Roland Dumas, rejected, for the first time under the Fifth Republic, the accounts I had submitted for my Presidential campaign, which campaign, I should add, was, in financial terms, by far the smallest. What this means, under French electoral law, is that, while the other candidates shall all be repaid by the State for the greater portion of their electoral expenses, I shall not be repaid and am therefore personally liable for expenses amounting to over \$1 million. The council claims that I accepted, from private individuals, loans for which these individuals did not require interest payments; one is led to conclude that had I been granted for my campaign, interest-bearing loans from precisely those banks which I have criticized, or had I had a large personal fortune, there would have been no problem at all.

Back to the decision of the Paris Court of Appeals. Had the magistrates been persuaded of my criminal responsibility, bearing in mind that this affair has been before the courts for almost a decade, they should have acted swiftly, and, in the public interest, imposed far heavier sentences, indeed, prison. But this, they did not do. Instead, they have arrived at a decision which attends to the expressed wish of the plaintiff's attorney, namely, "to put a stop to the activities of Mr. Cheminade."

Indeed, the net result of the decision by the Constitutional Council, and that of the Court of Appeals, is that I must pay 1.1 million francs to Mme. Pazéry's heirs in the latter case, 1 million francs to the State in repayment of the monies advanced during the Presidential campaign, and 3.7 million

francs to those who made loans for the campaign. In all, 5.8 million francs.

Such was the aim: to bring about my financial ruin, and to besmirch my reputation. It is public knowledge that I have gained nothing, in personal financial terms, from my political activities, but rather have myself given considerable sums to the very political associations to which Mme. Pazéry contributed.

Should I have to declare personal bankruptcy, for a period of five years I shall neither be able to vote, nor run in elections. Or, in the words of Radio Europe 1, on the night of the Appeals Court decision, "the brief political career of Mr. Cheminade was nought but an adventure."

Wrong. Those who think to put a stop to my political career, are much abused with respect both to my character and my commitment. I am not pulling up stakes, and I am not going anywhere. France is threatened by crises from within and from without. The world financial and monetary system is about to collapse, while the French elites, gloating with satisfaction at my discomfiture, ignore at their peril the gulf dividing them from the people at a moment in history where unity of purpose is all.

The proposals I put forward during my Presidential campaign, are, I do maintain, the only viable alternative to the present economic and social policies. But, since Oct. 26, 1995, it has become manifest that the authorities in this country have chosen to continue down a path which has already led to much injustice and suffering.

I will not play the game by those rules. My willingness to fight has only been strengthened by the blows I have taken. The "adventure" will go on, to the intense displeasure of those who had thought to cut me off, and who will have to read what I shall write, hear what I shall say, and see what I shall do, not only here in France, but elsewhere, with my friends and associates. And how very sure I am, that the moment will quickly be upon us, when those elites which presently hold sway over the "markets and the mass media," shall themselves be called to judgment by the people.

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## Documentation

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*The following excerpts from an EIRNS "Fact Sheet" on the Cheminade case, give just a few examples of the outrageousness of the verdict against him.*

Mme. Denise Pazéry, widow of a prominent business consultant, had, between 1984 and spring 1986, loaned and donated about a million francs to various political causes associated with Mr. Cheminade. In October 1986, about six months after her contact with Mr. Cheminade ceased, she died, being aged 64, of causes which it has not yet been possible to ascertain with certainty.

Her heirs, rifling through her papers, learned of these con-

tributions and decided to recover them. Their mother had said nothing to them of her political activities, as they got on but poorly. The apparent legal avenue open to them, was a civil suit to obtain repayment of the loans to the estate.

But, rather than proceed thusly, the heirs were advised by unknown persons to proceed criminally against Mr. Cheminade, which persons led them to believe that they would thereby recover both the gifts and the loans; those who advised them to do this, full knowing the protracted and parlous nature of such a legal venture, had in mind quite another object: a media campaign against Mr. Cheminade as a "thief," which was to cut off his political career in the bud.

In March 1987, the heirs duly made out a criminal complaint, founded upon the claim that their mother had been ill with Alzheimer's disease. Under French law, a person who receives loans or gifts from another, that other not being of sound mind, and this weakness being apparent to third parties, is guilty of theft.

An instructing magistrate, Mlle. Lherault, was named. . . . After two years of investigation, in the course of which Mlle. Lherault pored with bone-grinding thoroughness over the personal histories and finances of Mr. Cheminade and friends, she closed the case, under the heading "Refusal to Instruct." This means that the magistrate found no cause for a criminal complaint and refused to send the case up to trial.

Among the extraordinary things before Mlle. Lherault, was a *posthumous* psychiatric report by a high-society psychiatrist, Professor Dubec. The latter, who had never seen the patient alive, nor even conducted an autopsy, concluded that she was mad and suffered from Alzheimer's disease. Professor Dubec had entertained a lively correspondence concerning Mme. Pazéry, with another high-society psychiatrist, Professor Oughourlian, of the American Hospital at Neuilly, known mainly for his connections to the American establishment.

The Hospital of St. Anne, where Mme. Pazéry died, gave *two different* dates of death but never produced a death certificate, nor an official report on the cause of death. The heirs of the accused told the magistrate unblinkingly, that the mother, who, they otherwise alleged, was desperately ill with Alzheimer's, in fact lived alone, dined in restaurants, used a credit card, had never been put under guardianship, did all her own banking and finances, and drove her own automobile. . . .

Again, the High Court which found against Mr. Cheminade on first instance in 1992, was the scene of wild buffoonery: the solicitor for Mme. Pazéry's heirs, Maître Dewynter, waving before the judges a brain scan which had never been produced to the accused, and the date of which had been altered, so that it did not correspond to documents in the complainants' own possession. In fact, it later transpired that the American Hospital at Neuilly, which was supposed to have carried out the scan, did not possess a scanner at that altered date! Whose brain was on the picture, is a moot point. It also later transpired, which fact was never made known to

the accused until the complainant's solicitor raised it in open court in October 1995, that the Medical Secretary of the American Hospital, was Mme. Pazéry's sister, who was plainly in touch with the complainants. . . .

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## LaRouche comments on the case

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*In an interview with "EIR Talks" on Jan. 18, Lyndon H. LaRouche, Jr. had this to say about the developments in Paris:*

The main attack against Cheminade, is because he's associated with me. The political class in France, the dominant section, showed, during the election campaign, with what they said about me, that I was the major issue. The hardest issue in the French Presidential campaign, was my personality. Here I am, in the United States. What does that mean?

Simply: The French establishment recognizes me as an important American. They do not want, more out of French chauvinism and ties to the Entente Cordiale mentality with the British, they don't want any American influence, internally, in France. Jacques was probably the most competent candidate, in terms of qualifications, for President that was running. There are other people in France who would be qualified, competently, to run for President, but they just didn't happen to be running. And Jacques was the only one among those running for the Presidency, who was actually qualified for the position, in terms of the issues that have to be dealt with.

So, they think of Jacques as a danger, a threat to the political class. They're out to try to defame him, to bankrupt him, to eliminate him, by every dirty trick they can imagine. And, when Jacques sided with the strikers against Chirac and Juppé, in the December events, this for some people in the government and in the political class was just too much. And they're out to crush him.

However, what they have done, as the record shows now, when you look at the pattern of things that have been done, beginning with the period of the elections themselves, is that the political class in France has created, as it did in the 1890s, a new Dreyfus Affair in the form of what it's done with Cheminade. Here's a prominent, gifted man, a former French official, very talented, insightful, very popular when he's directly dealing with the French public; and they want to get rid of him.

It's going to come back on them. The Cheminade case is the albatross around the Chirac establishment, the Chirac-Mitterrand establishment. And, sooner or later, what they've attempted to do to Cheminade, will destroy them. And I think it will be rather sooner, than later. Events are coming on fast, events which they wish to believe will not happen. But the events will come; and when those events come, there will be an accounting of many things by the French population, 90% of which do not like what has been happening in France in the recent period.