

'Get LaRouche' Task Force

French leaders found guilty in frameup

The 12th Chamber of the Paris High Court on June 24 found Jacques Cheminade, Christine and François Bierre, and guilty of "theft." The conviction of the four political associates of Lyndon LaRouche was the result of a political frameup, accompanied by a heavy media campaign of slander against the defendants.

The alleged victims were the heirs of Mme. Denise Pasery, who died at age 66 in 1986. From late 1983 to spring 1986, Mme. Pasery had made contributions and loans totaling 1,197,000 francs to various associations linked to political campaigns and publishing projects undertaken by associates of LaRouche in France.

The entire case hung on "expert" medical testimony—compiled three years after Mme. Pasery's death and based on a single brain scan made eight months prior to her death—that she allegedly showed noticeable symptoms of Alzheimer's disease during the period of her association with the defendants.

Jacques Cheminade, a well-known political figure who has run several campaigns for the French presidency, was given a 15-month jail sentence; the Bierres and, a 13-month sentence each; and a 5,000 franc fine was imposed on each of the four defendants. In addition, the court ordered that all four defendants be held collectively responsible to pay 1,100,000 francs to the Pasery heirs. The jail sentences are suspended, on condition that the defendants pay the fines and reparation to the heirs, and that they not be indicted for any other cause for a three-year period.

All aspects of the sentences handed down by the 12th Chamber are suspended pending appeal to the French Court of Appeals. The defendants will appeal their convictions.

Peculiar features of the judgment

The 12th Chamber's ruling rejects the suggestions made by the government prosecutor in his sentencing recommendations during the June 4 hearing in this case. At that time, the prosecutor stated to the court that given the lack of clarity concerning Mme. Pasery's mental condition at the time of the solicitations, the 12th Chamber would be well-advised to appoint a second neuro-psychiatric expert, better qualified to review the evidence of an alleged Alzheimer's condition. It is exceedingly rare for the court not to accede to such a

suggestion from the prosecutor.

But the 12th Chamber went on to impose sentences that, if strictly executed, would prohibit any of the defendants from participating in elections for the next three years.

A further peculiarity in the ruling involves the crime charged in the indictment. The defendants were indicted for theft, not fraud, but the court's argument strains to find sufficient grounds for conviction, and failing to meet the requirement for theft, finds on the basis of fraud.

A totally political case

The case is a blatant effort of an international "Get LaRouche" task force to shut down the political activities of LaRouche's associates. A report prepared by the police commissioner, drawing from a dossier of the Renseignements Généraux, France's political police, described the European Labor Party (POE), of which Cheminade was formerly the secretary general, as "a direct offshoot of the party of Lyndon LaRouche in the United States, who is charged in a very important case of swindle and fiscal fraud." As associates of Cheminade wrote in a leaflet circulated in Paris in March, "from the beginning of the allegations, a presumption of guilt has been created based on political association."

In 1990, a first instructing magistrate refused to indict the defendants for fraud after a four-year investigation. That magistrate said that the defendants' political activities were well proven, that the firms which received contributions and loans from Mme. Pasery existed, produced the publications for which the funds were solicited, and that Mme. Pasery was fully aware of their activity. Therefore, there was no scheme to defraud.

When the first magistrate retired, the prosecutor appealed her finding and a second instructing magistrate was appointed who also found that fraud was not constituted, but, given a mandate to indict, fashioned a charge of theft. In French law, theft is proven if the person making a gift was not only mentally impaired but was *known to be mentally impaired* by those receiving the gift. Therefore, the issue of Mme. Pasery's alleged deteriorating mental condition at the time of her association with the defendants was the keystone of the prosecution.

Unfortunately for the prosecution, at the June 4 hearing, Mme. Pasery's heirs testified that their mother continued to drive her car, by herself, in Paris and back and forth to the suburb of Ville d'Avray, and that she single-handedly managed her extensive financial affairs up until four months before she died in October 1986.

On the question of LaRouche himself, one of the defense lawyers effectively countered the slanders circulating in the courtroom on June 4, when he said that he had personally met with Lyndon LaRouche on two occasions. The first time they discussed a translation of Plato's *Timaeus*, and the second they had a debate on Aristotle's *Nichomachean Ethics*—subjects, he said, which do not normally preoccupy a "thief."