

French Court Slams Cheminade for ‘Slander’

The following press release was issued on Oct. 11 by EIRNS, under the headline “French Lyon Tribunal Heavily Sentences Jacques Cheminade for ‘Public Slander Against a Government Member Exercising His Functions.’” Cheminade, a longtime friend and associate of Lyndon LaRouche, ran for President in 1994 and 2002, most recently with the Solidarity and Progress (Solidarité et Progrès) party. He was sued by Justice Minister Dominique Perben, because of a leaflet his party distributed.

The railroad sentence was given two weeks after the hearings, an unprecedentedly short delay in French Courts, and was not only extremely heavy, but purposefully written in the most insulting terms, without taking into account any of the arguments presented by Cheminade or his lawyer. Cheminade was condemned to pay a fine of 15,000 euros, half of it immediately, and half of it as a suspended sentence to be paid in case of repetition of the offense, so as to keep him quiet under a Damocles sword. Eric Sauzé, head of the Solidarité et Progrès office in Lyon, was seemingly sentenced to a fine of 10,000 euros for “complicity,” half of it to be paid immediately, and the other half in case of a repetition of the offense. The punishment was so harsh, and in such a contrast with the proceedings of the hearing, that some journalists who had been present in both cases suspected either an outside pressure of the Minister himself on the Court—Dominique Perben has just reorganized the French legal apparatus under his political influence—or that the judgment was already written beforehand.

The most outrageous parts of the judgment are the following:

1. “In presenting evidence in their favor, we can ascertain that the accused have admitted the slandering nature of the said distributed leaflet.” In other words, if you try to present evidence to prove your innocence, it shows that you are guilty, because you feel that you have to defend yourself!

2. The focus of the Court is put on the comparison of the two pictures—Pétain shaking hands with Hitler in Montoire and Perben recently doing the same with U.S. Attorney General John Ashcroft—and not on the actual content of the leaflet. It is obviously because the leaflet said that the scandal is the action of “collaboration,” now as then, and not that Perben is the same as Pétain. This collaboration is the fact that the Perben II law is very similar to Ashcroft’s Patriot Act, a fact that Perben himself admitted in an interview given to the American press at the Four Seasons Hotel in Washington, on May 11, 2004. Perben says that there is “an interesting



Lyndon LaRouche and Jacques Cheminade, at the conference of the Schiller Institute in Germany on Sept. 24-26.

dimension to his law . . . the possibility under such a law for foreign services to continue infiltrations on French territory.” The leaflet, titled “Let’s Stop the Hold-Up of the FBI in France,” also said that Ashcroft’s ultra-neoconservative policies lead towards a new fascism. The Court, without mentioning that it is an assertion about Ashcroft, proceeds as if the defendants had called Perben’s policies by the same name!

3. The Court then says that the slandering allegations against Perben “make a comparison between two periods of the history of France that have strictly nothing in common in terms of human and citizens’ rights,” as if the Perben law were an immaculate creation from a pure present.

4. The heavy fines against Cheminade and Sauzé—in both cases more than two years of their personal income—are justified on the grounds that the two had “the objective disposition of resources that allowed them to print 25,000 copies of their leaflet” . . . which cost 1,147 euros, 20 times less than the padded fines!

Cheminade and Sauzé are appealing the sentence, but the appeal has to be before the Appeals Court of Lyon, where Perben is trying to control everything, to win the municipal elections of 2007 or 2008, and become Mayor.

Perben is also under heavy attack by the left-wing socialist Arnaud Montebourg, in the scandal of the Aubert case, a collaborator of Perben and treasurer of his party in Chalon-sur-Saône. Montebourg was interviewed on the front page of *Lyon Mag* magazine, and until now has not been under legal fire from Perben. This is noted by many observers, who are anticipating the results of the American Presidential election.

Also to be noted, is that Cheminade and his friends wrote in their leaflet that they were all the more astonished by Perben’s behavior, as Ashcroft had been one of the worst enemies of Prime Minister Jacques Chirac and his Foreign Affairs Minister of the time, Dominique de Villepin, during the recent Iraq War. On this, the Court made no comment.