France: Former president Jacques Chirac to stand trial for corruption

Antoine Lerougetel, Alex Lantier
11 November 2009

On October 30, investigating magistrate Xavière Simeoni indicted former French President Jacques Chirac, on charges of misusing Paris city funds by placing fictitious employees on the city's payroll.

Chirac was mayor of Paris from 1977 to 1995, before becoming president (1995-2007). Simeoni's 215-page indictment order accuses him of misusing €4.5 million to hire *chargés de mission* (special functionaries) who, instead of working for the city, worked as political operatives for him. If found guilty, Chirac could face 10 years in jail and a fine of €150,000. Hearings will start next year.

The indictment of a former head of state represents a major blow to the legitimacy of the political establishment.

It threatens further explosive revelations during his trial, and comes amid corruption trials targeting broad sections of the establishment—including former Interior Minister Charles Pasqua and former Prime Minister Dominique de Villepin. There can be little doubt that Chirac is guilty of the charges against him, or that his guilt is part of institutionalized corruption in French political life. However, the charges in the case and the size of the sums involved only underscore the extent to which the more significant crimes of Chirac's term are going unpunished. (See "The Political-Financial Scandals in France")

Investigations into the Paris town hall corruption affair began in 1999, and in 2003 many of Chirac's leading collaborators were charged. Chirac organized passage of legislation giving sitting presidents judicial immunity, shielding him from prosecution until 2007. However, in 2004 Alain Juppé, head of the ruling conservative UMP (Union for a Popular Movement) and a former prime minister under Chirac, was convicted for "the use of public office for personal ends" in this affair.

On December 5, 2003, the Paris Court of Appeal ruled most of their misdemeanours were outside the three-year prescription limit (or statute of limitations). In December 2005, however, the Court of Cassation—France's highest legal body—quashed the Appeal Court's findings. Simeoni restarted the investigations in 2007, ultimately completing them on April 24, 2009.

Simeoni writes, "[T]he mayor of Paris played a determining role; first, in the conception and the placing of employees, called *chargés de mission*, at the Paris town hall from 1977, and then in their recruitment." She continues, "Jacques Chirac managed to provide himself, under cover of special contracts, with support in political, social, trade union, and sporting circles with the intention of promoting his political influence, which served on a more or less long term basis his own interests and ambitions...."

The indictment reports that investigations had unearthed 43 suspect job contracts. They fell into two categories: special employees (*chargés de mission*) who had "done work without any link to their wage," and those who had "done no work for the city." Fifteen were charged, and seven are due to stand trial in criminal court. Apart from Chirac, the accused include: Jean de Gaulle, grandson of General Charles de Gaulle; the brother of Jean-Louis Debré, the present chair of the Constitutional Council; and the wife of former minister of foreign affairs Hervé Charrette.

A notable figure among the accused is Marc Blondel, the 1989-2003 leader of the Force Ouvrière (FO) trade union and collaborator of the OCI (the ex-Trotskyist Internationalist Communist Organisation of Pierre Lambert, which later became the POI-Independent Workers Party). He accepted a full-time chauffeur at city expense, according to the indictment: "the intentional element of the offence of misappropriation of public funds and the concealment of the misappropriation of public funds admits no doubt: the partial reimbursement by the FO trade union is proof of their consciousness of the illegality of the situation."

A long section of the indictment order dealt with five *chargés de mission*, from 1992 to 1995, who were on detachment to the association *Réussir l'an 2000* (Make a success of the year 2000). Its task was to work for Chirac's presidential bid in

© World Socialist Web Site

1995.

Significantly, its founder and general secretary was Nicolas Sarkozy, the current president. According to its treasurer, Sarkozy brought him the initial funding, “a 100,000 franc cheque from the Beghin-Sey company.” However, Sarkozy later broke with Chirac, supporting his conservative rival in the 1995 elections, Edouard Balladur. The treasurer reports that “from 1993, the association worked exclusively for the candidacy of Chirac. Mr. Balladur’s supporters, including Mr. Sarkozy, left the association.... This enabled Chirac to better prepare the 1995 presidential campaign.”

The political establishment is divided over whether it is more damaging to allow the trial to proceed, or to present the spectacle of an ex-president successfully avoiding trial.

Pasqua, a conservative rival of Chirac facing a one-year jail sentence in the “Angolagate” arms sales scandal, took the lead in hinting that a trial might reveal substantially wider malfeasance. He commented that the French people “well know that on the right and the left everybody had recourse to what is today called ‘bogus jobs’.... We should treat this as belonging to the past.” Former prime minister and UMP general secretary, Jean-Pierre Raffarin, also opposed trying Chirac.

Other elements inside the UMP called for a trial. Chirac’s former chief of staff at the Elysée palace wrote, in a November 2 *Le Figaro* editorial, that the “fictitious jobs” were a series of isolated incidents, and that he wanted “a trial to be swiftly held” to clear Chirac’s name.

While Sarkozy invoked the principle of separation of powers to refuse to comment, the UMP’s Christine Boutin said, “Even if it harms France’s image in the world, it is right that he be tried, but I appeal for clemency.”

Ségolène Royal, the Socialist Party (PS) candidate in the 2007 presidential elections, reflected the ambivalent attitude dominant in the PS: “Even if he deserves it, I think that it is bad for France’s image....He has contributed much to the country...[he] deserves to be left in peace.... At the same time, justice must be the same for everyone...for the little people as well as the powerful.”

The circumstances of the indictment itself highlight divisions inside the judiciary. It results from a trial of strength between *juges d’instruction* (investigating magistrates or judges)—not directly controlled by the executive, but whose positions Sarkozy plans to eliminate starting in 2010—and the *parquet* (public prosecutor’s office), whose officers are appointed and subject to removal by the executive. The Paris *parquet* had until October 30 consistently ruled against Chirac’s standing trial. This time, it decided not to appeal the indictment order sending Chirac to the criminal court, though Paris prosecutor Jean-Claude Marin had recently dismissed the case in September.

Emmanuelle Perreux, president of the *Syndicat de Magistrature* (Magistrates’ Union) noted. “If the public prosecutor’s office had been in control of this case, as will be the case when investigating judges have been eliminated, this affair would have been shelved.”

The political establishment has to fear not only for the reputation of its politicians, but also of the courts. Should Chirac mount an aggressive defence, it would involve discrediting Simeoni. Already, the institution of the *juges d'instruction* is hardly uncontroversial—with notably the Outreau scandal involving judicial persecution of parents falsely accused of pedophilia, and Judge Jean-Louis Bruguière's years-long detention of French citizens held by the US at the Guantánamo Bay prison camp, even though no charges had been filed against them. (See “France: Judge Bruguière—utilising anti-terrorism as a political instrument”)

The pursuit of justice against Chirac is ultimately a class question, to be resolved by a political movement of the working class and not the machinery of the courts. The negotiations over Chirac’s legal fate underscore the fact that his trial is not a serious investigation of his presidency, but a tactical episode in a struggle inside the political and state apparatus. His indictment, on a comparatively minor charge, does not deal with the weightier crimes carried out by French imperialism during Chirac’s term.

Chirac’s term saw the suppression of evidence of French support for the regime that carried out the 1994 Rwandan genocide, imperialist interventions in African countries including Ivory Coast and the Congo, and France’s participation in the US-backed invasion of Afghanistan. At home, Chirac pursued a bitterly unpopular policy of impoverishing the workers through social cuts, provoking a mass railway strike in 1995 and a national strike movement against pension cuts in 2003. He also suppressed evidence of large-scale corporate and political corruption in the Elf, Taiwan frigates, and EADS scandals.

For all of these more fundamental crimes, Simeoni and the entire political and legal establishment have given him a pass.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site