

# Former French president Chirac's corruption trial postponed

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On Tuesday the Paris Criminal Court postponed the corruption trial of Jacques Chirac, who served as France's president from 1995 to 2007.

Chirac was mayor of Paris (1977-1995) for the Gaullist RPR (Rally for the Republic), now the UMP of President Nicolas Sarkozy. On October 30, 2007, investigating magistrate Xavière Simeoni indicted Chirac on charges of misusing €4.5 million of Paris city funds by placing fictitious employees on the city's payroll. They were paid not for carrying out official work for the city of Paris, but work on Chirac's political and presidential campaigns. Legal proceedings on the issue have dragged on since 1999.

Two different investigations for fictitious jobs in Nanterre and in downtown Paris were combined into one trial on Tuesday. A lawyer for one of Chirac's co-defendants in the Paris case argued that a key charge in the case was outside the statute of limitations, and that it was unconstitutional to combine the two cases into a single trial.

Judge Dominique Pauthe suspended the trial until June, and asked France's highest court, the court of cassation, to consider the objection. The court of cassation can send the motion to the Constitutional Council, a body of political appointees which judges the constitutionality of French laws.

Chirac, as a former president, is a member of the Constitutional Council that will rule on the admissibility of his trial. Chirac has said he would not attend deliberations on his case.

Commentators are sceptical that the trial will resume in June, not least because the campaigning for the 2012 presidential elections will be in full swing.

Alain Juppé, former prime minister and deputy mayor of Paris under Chirac, now Sarkozy's foreign minister, was convicted for these offenses in 2004, fined and banned from holding political office for 18 months.

Chirac escaped judgement at the time by means of a law giving legal immunity for serving presidents. (See "France: Former prime minister Juppé convicted on corruption charges"). Since the end of his presidential term in 2007 his lawyers, while claiming that Chirac is keen to face trial in order to prove his innocence, have used delaying tactics to prevent him standing trial.

Socialist Party mayor of Paris Bertrand Delanoë talked of "a system of embezzlement of public money for a mafia". However, a deal was struck between Delanoë and Chirac's lawyers, passed by the Socialist Party (PS) majority on the Paris council on September 27, 2010, whereby the city would withdraw its charges on reimbursement of the €2.2 million that it claimed had been misused. The UMP paid €1.65 million and Chirac the remaining €550,000.

The embezzlement of the city of Paris's finances, it must be said, is by no means the greatest crime perpetrated by Chirac. It was under Chirac's presidency that evidence of French support for the ethnic Hutu regime that carried out the 1994 Rwandan genocide was suppressed, imperialist interventions in African countries including the Ivory Coast and the Congo were carried out, and France participated in the US-backed invasion of Afghanistan. At home, Chirac's social cuts, inscribed in the Juppé Plan, provoked the mass strike led by railway workers 1995, followed in 2003 by the national strike movement against pension cuts.

The decision nonetheless exemplifies how the France's legal and political system can be manipulated to defend politically-connected individuals.

The ruling to postpone Chirac's trial also reflects the nervousness of France's political elite at the loss of credibility of its state institutions and of the ruling conservative UMP (Union for a Popular Movement). Both are already deeply mired in a string of politico-financial scandals, often involving bitter rivalries between leading

figures in the UMP.

The UMP's offices were raided by the police on Monday in connection with the Woerth-Bettancourt affair, involving allegations of illegal campaign funding for President Nicolas Sarkozy, and the sale of political favours. On Thursday the official Libyan news agency, Jana, in response to France's recognition of the opposition Benghazi government, announced that it had in its possession secret information linked to the financing of his election campaign which could "bring Sarkozy down."

The Tunisian revolution exposed the corrupt relations of foreign minister Michèle Alliot-Marie who spent Christmas with her family at the expense of a close collaborator of dictator Ben Ali. She authorised the export of French-made riot police gear and offered police support against the popular uprising right up to the flight of Ben Ali on February 14.

The discredit thus heaped on her and French foreign policy made it impossible for her to continue in her post and Sarkozy was obliged to replace her with Alain Juppé. However, Juppé is a convicted embezzler of public funds.

Prime minister François Fillon was also exposed for his 2010 Christmas holiday as a guest of Egyptian dictator Hosni Mubarak only weeks before the outbreak of the Egyptian revolution. He has, however, managed to cling to office.

Intense conflicts involving heavy legal sanctions within the UMP threaten to provoke its implosion. The party is torn by conflict over the Clearstream affair between former Prime Minister Dominique de Villepin (a protégé of Chirac) and Sarkozy; the affair of kickbacks for the sale of submarines to Pakistan, Karachigate, which involves the funding of former Prime Minister Edouard Balladur and his aide, Sarkozy. Both involve long-standing rivalries inside the French right between camps led today by Chirac and Sarkozy.

Two meetings over the last two weeks at the Elysée Palace between Sarkozy and Villepin are clearly an attempt at fence-mending. Villepin has been positioning himself to be a rival candidate, as a social Gaullist and defender of France's imperialist interests abroad, to Sarkozy in the 2012 presidential elections,

A conviction of Chirac would enormously discredit the presidency. It carries a 10-year jail sentence. Many commentators have pointed out that the last two French heads of state to stand trial were Louis XVI, during the French Revolution in 1792, and Philippe Pétain in 1945 for collaboration with the Nazi Occupation as head of the

collaborationist Vichy regime.

The dilemma is that if Chirac were not to go to trial or were acquitted, even though his top aide Juppé was convicted for the same crimes, the degree of high-level impunity accorded by the French judicial system would be further exposed.

There are also signs that the opposition PS does not want to look too closely at the Chirac embezzlement case. For this reason the leadership of the opposition PS persists, in apparent opposition to the City of Paris PS group, though not wishing to seem to want to let Chirac go scot free, in making conciliatory noises.

Arnaud Montebourg, who has previously loudly urged that Chirac should face justice and who is at present acting as whistle-blower for extensive corruption in the Marseille PS bureaucracy, is quoted in *Le Monde* March 8 saying: "It no longer makes sense to try him today. He's enjoying a well-deserved retirement."

In 2000 the present director general of the International Monetary Fund, Dominique Strauss-Kahn, the favourite to run as candidate for the PS in the 2012 election, was himself revealed to be implicated in this "mafia." Jean-Claude Méry, a building contractor's videotaped confession revealed a system of political kickbacks for work contracted to them by the municipality. Strauss-Kahn kept the cassette for two years without revealing its contents.

Strauss-Kahn had been finance minister in the Plural Left Jospin government for two years until November 1999, when he was forced to resign for having received fraudulent fees from the student welfare organisation MNEF. (See "France: finance scandal rocks the Fifth Republic")

He is now considered to be a leading contender to be nominated as the PS's candidate in the 2012 presidential elections.



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