Let Us Stop France From Becoming a Police State!

by Jacques Cheminade

Jacques Cheminade, the leader of the LaRouche-affiliated Solidarité et Progrès (Solidarity and Progress) party in France, issued this statement from Paris on April 25, 2007, in response to the national elections April 22. An extraordinarily high voter turnout, 84.6%—the highest in 40 years—gave right-wing neo-con Nicolas Sarkozy 31.1%, while the Socialist candidate, Ségolène Royal received 25.8%. A run-off election will be held May 6.

France now stands on the verge of becoming a police state. If Nicolas Sarkozy is elected President of the Republic, something which appears likely as of this moment, he will have a weapon of mass destruction in his hands. Whether he deploys that weapon or not depends on each of us. We can prevent him from doing so by keeping him out of power. And if, by misfortune, he attains it, we will mobilize all the legal means available to defend the republican order which, by the very nature of his otherwise unachievable economic and social austerity policies, he will be bound to fatally violate.

Hence, we are calling here for an organized resistance, drawing attention to the extent of damage to individual freedom which could be done by such a future government, and striving to awake each citizen to fight and abolish these measures. We speak not of breaking with this measure or that particular provision, but rather of a total reversal of direction, which is necessary to save our national independence and freedom.

The Perben II Law

In the context of a political battle, during the district elections of March 2004 in Lyon, several candidates of our Solidarité et Progrès party denounced a little-known provision of the Perben II law (conceived by French Justice Minister Dominique Perben) whose implications are very worrisome: It authorizes the secret services of foreign powers to operate in France, under the name of "common investigative teams."

Chapter II of Title 1 of the law, "Provisions concerning the law against delinquency and international liberty" authorizes the creation of "common investigative teams" between France and other member-states of the European Union, created with prior consent of the French Justice Ministry. Under the law, "the foreign agents dispatched by another member State" can have as mission, covering the entire national territory to "ascertain all crimes, misdemeanors, or infractions, and report offenses, in the forms required by the law of their State, if necessary." They may also access a policeman's report of an offense related to the incriminating facts, "if necessary in the form required by the laws of their state," and can "carry out surveillance and organize infiltrations, if they have received special permission to this end."

It might be claimed that this only concerns cooperation among member-states of the European Union. And yet this is untrue, since Chapter III of the law, concerning "provisions aimed at collaboration between France and certain States," provides that the previous dispositions (those of Chapter III) "are applicable to the requests for collaboration between France and other States who are party to any convention stipulating similar demands to those of the May 29th convention relative to mutual aid in penal matters between member states of the European Union." Stated in simple terms: this means the United States!

Thus, the American CIA and FBI, and the British secret services, MI5 and MI6, can operate on French territory, abiding by English or American law, simply by prior permission from the Minister of Justice!

That law was negotiated by former Justice Minister Dominique Perben and John Ashcroft, then-Attorney General of the United States, and author of the Patriot II law. Connected to racist interests of the American South (as indicated by Ashcroft's interview in *Southern Partisan*), and accused by the father of American broadcast journalism, Walter Cronkite, of being the "Torquemada of American Law" (an allusion to the Spanish Inquisition methods), John Ashcroft represents the worst of the Bush Administration—and that is not a mild statement. Yet, on May 11, 2004, at a conference organized at the Washington Four Seasons Hotel, Perben revealed that "one of the interesting aspects" of his law was the "possibility offered . . . to foreign agencies to pursue infiltrations on French territory." Furthermore, responding to a journalist who asked him if France had something similar to the Patriot Act, Perben said: "I think I can say at this point, that, in particular, thanks to the March 9th law, we have the juridical

Guillaume Paumier

The LaRouche-affiliated Solidarité et Progrès party is now distributing 100,000 copies of a leaflet endorsing Ségolène Royal (left) for President of France. Nicolas Sarkozy (right), her neo-con opponent in the upcoming run-off election, would attempt to turn France into a police state.

arsenal allowing us to fight terrorism even before an attack occurs."

'No to Perben!'

The leaflet distributed by the Solidarité et Progrès candidates in 2004, entitled "No to Perben: Let's Prevent a Holdup by the FBI," denounced this state of affairs and illustrated the "collaboration" between Perben and Ashcroft by showing them next to a picture of the unsavory handshake between Marshal Philippe Pétain and Adolf Hitler at Montoire.

Calling this "bad taste" and outrageous "defamation towards the Justice Minister as a minister of the government," the Tribunal of Grande Instance of Lyon, in a criminal judgment dating from the Oct. 5, 2004 and confirmed by that of the Court of Appeals of Lyon of Feb. 9, 2005, condemned me personally to a 15,000 euro fine (twice my official revenues at that time). Mr. Eric Sauze, responsible for the party's Lyon office, was also judged guilty, and fined 10,000 euros. Thus, as president of the Solidarité et Progrès party, I was personally found guilty for the production of an election campaign leaflet, a leaflet which I had not signed. In contrast, no one brought suit against the satirical weekly *Charlie Hebdo* when it published, in the Nov. 10, 2004 issue, a cartoon of President Jacques Chirac shaking hands with George Bush, subtitled: "a new handshake of Montoire." The cartoon served as illustration for an article entitled "Bush Is Elected: Let's Collaborate" [the French word for "collaborate" connotes surrender to the Nazis].

I am therefore well placed to measure the scandalous consequences of the new laws of the government. Having been personally chosen to suffer from them, I know the price that is paid by opposing them.

One can also note here that some "CIA airplanes" actually did fly over French territory (some even landing here), while transporting "suspects of terrorism" who had been detained by the U.S. authorities, but "outsourced" to countries which would not hesitate to use methods of obtaining rapid confessions. For Messrs. Sarkozy and Perben, being at that time respectively Ministers of the Interior and of Justice, the question arises of their responsibility in a policy decision which is coherent with the mindset of the Perben II law.

We will not go into the detail of other provisions of the law by which petty delinquents are punished severely, while media stars, such as Jean-Luc Delarue, receive only mild admonitions. Nor shall we dwell on other initiatives of Mr. Perben, such as the one authorizing the seizure and sale of belongings of detainees even before they have been judged, a penalty inflicted without trial and even before any investigation by instructing magistrates. The use that could be made of that bill is terribly troubling. For example, since the beginning of the investigation into the kickbacks from the construction contracts for the Paris-area high schools, the police could have seized all the bank accounts of the major political parties involved; yet, after investigation, the justice system cleared them completely.

The Electronic Passport and Criminal Data Banks

The "electronic" passports imposed on France by the Bush-Cheney Administration, which use biometric data (fingerprints, iris of the eye signature, and/or numerical facial identification), permit control over every individual on the face of the Earth. The data registered on the passport's electronic memory can be easily copied from less than ten meters away—a reality which opens the door to creation of fictitious identities, then enabling legal investigations of perfectly innocent individuals.

The use of DNA data, so far only used in cases of serious crimes, was extended by the Perben II law, which authorizes a forced sampling of all detainees. It was further extended by Sarkozy, who decided that sampling could be carried out on individuals jailed for less than 24 hours. Hence, youth who demonstrated against the unprotected, make-work government contract (the CPE), and were arrested for just a few hours, were forced to undergo DNA sampling.

Control measures are being extended to the entire popu-

lation, and data banks are becoming increasingly interconnected. Already, a proposal by Alex Turk, president of the official National Commission on Electronic Filings and Liberties (CNIL), calls for the "legalization of files of suspects" created by private companies. It also demands the interconnection of the files of the police (STIC) and those of the gendarmerie (JUDEX) [France's national police force under military control], despite the illegality of such a mesure under the 1978 directives of the CNIL itself. Already, the STIC and JUDEX data, to which nearly 90,000 policemen and gendarmes have access, are being transmitted by civil servants to former colleagues, who have joined private firms specialized in data collection. These data thus become available to private companies. It's the beginning of "Big Brother." For a simple fine, or a mere complaint, your name may turn up in such a data base, be transmitted (even without detailing the nature of the facts) and you might get into trouble. The gun is loaded and waiting only for someone to pull the trigger.

PMD and DLO

The "collection of data" by this new Leviathan extends now as well to personal medical information, in spite of the ethics code that forbids doctors from revealing medical information without explicit agreement of the patient.

Since Dec. 8, 2006, a Personal Medical Dossier (PMD), which assembles all the medical data on a patient, has been under test in Lyon and Annecy, two major cities in southeastern France. French Health Minister Xavier Bertrand, a spokesman for Sarkozy, prepared a decree which has so far not been adopted, although with a Sarkozy Presidency, it would be put back on the front burner. The decree would allow access to the medical dossier of any person or organization outside the health sector, a situation worsened by the fact that, so far, no safe way of securing such files exists.

Moreover, a loophole in a fair housing law, adopted in an emergency session on March 5, 2007, permits further abuse of patient privacy. The "Dalo law" (Droit au Logement Opposable, or DLO), which gives citizens the right to take the government to court if they are unable to obtain decent housing on their own, gives landlords access to the PMD of prospective renters appealing under this law. This is the foot in the door for abuse against the medical ethics system for political and financial reasons.

Voting Machines

The introduction of electronic voting machines is part of the same orientation toward "rationalization," permitting manipulation in a more or less hidden way. Already in the 2007 Presidential elections, 1.5 million votes will be cast electronically, with great potential for abuse. Opaque and unverifiable, electronic voting is a danger for our democracy. Among the areas of potential abuse:

- At no moment can the voter confirm that his vote was counted;
- the citizen cannot participate in the counting;
- computer errors may occur with no way of confirming them;
- no recourse is possible since there is no paper trail.

Already, voters of Issy les Moulineaux (in the richest section of the Paris region) have protested to the administrative tribunal of Versailles concerning these machines. The French representative of the American company ES&S (Election System and Software), which manufactures the iVotronic machine chosen at Issy, could not be reached . . . and for a reason. The machines of this same company, run by a notorious neo-conservative figure, tallied curious results in the state of Georgia, which were opposite to all the polls and all the preceding votes. Proof that voting machines could be manipulated at a distance was also obtained in the Low Countries.

Abuse of Public Opinion Polling

The abuse of public opinion polls can constitute an element of manipulation of voters, driven into passivity by the financial oligarchy-dependent media. Abuses can include the use of insufficiently extended sample groups, undisclosed methods of projection, and the absence of any controls. The majority of public opinion polls are carried out by polling institutes tied to powerful financial interests. For example: Sofres, connected to the powerful American investment fund, Fidelity; Ipsos, linked with Pinault and Fidelity; BVA, with Resalliance; Erip, with Edmond de Rothschild; IFOP, with the president of the employers association (MEDEF), Laurence Parisot. Further, in order to make the political polls profitable, the polling is carried out in the context of commercial questionnaires. In short, those polls, as former Interior Minister Charles Pasqua would have said, do not convince anyone but the people who wish to be cheated by reading them.

Social Control

Nicolas Sarkozy has revealed a conception of political affairs and the human condition, which is enough to send shivers down one's spine, when it is understood that he would draw on such powerful instruments of social control as those we have just outlined, to implement his views.

In an interview he granted to the April issue of *Philosophy Magazine,* Sarkozy declared, in succession:

"I'm inclined to think that pedophilia is something one is born with. . . ."

"Every year, 1,200 to 1,300 youth commit suicide in France . . . because, they had a genetic weakness, an earlier suffering. . . . The inborn factor is enormous."

Those affirmations are typical of American neo-conservative theories, which drew their inspiration from European

EIRNS/Julien Lemaître

Jacques Cheminade, pictured here (in a white coat) at a rally in Paris, March 2006, is calling for an organized resistance against attempts by Sarkozy and company to impose fascist measures in France.

eugenics theories that reduce the human to a mere biological being.

In this vision, it is nothing but logical that an elite, ruling merely for the maintenance of its position, should control the rest of the society as if it were a vast zoological park, over which it must impose law and order. Not surprisingly, one year ago, Sarkozy called for the early detection of behavioral problems "starting at the nursery school" (three years of age), in order to prevent future delinquents.

This is the society of George Orwell and of Huxley's "Brave New World," in which each human being is assigned a name-tag and a destiny, fixed from infancy, while the forces of law and order are present to ensure that each one remains in his assigned place. It is that nightmare which we must resist.

A New Resistance

Our minimum combat objectives are the following:

- Remove from the Perben II law all provisions restricting personal freedom and national sovereignty.
- Stop the use of the electronic passport.
- Limit DNA filing to major delinquents and sexual criminals.
- Forbid the publication of STIC and JUDEX data, and impose heavy penalties for those doing so.
- Forbid publication of personal medical files for other than medical uses.
- Impose a moratorium on electronic voting machines, until the machines are able to provide a physical trace of votes, and for as long as the computer programs cannot be examined by public officials (the principle of priority of the public institutions over the private).
- Forbid all opinion polls in the four weeks preceding any election. Establish control over the polling institutes by independent state institutions, such as the INSEE (National Bureau of Statistics), with obligations to make public the list of those financing each poll.
- Finance historical research into the origins of eugenics theory, and/or attempts to reduce the human noetic capability to a merely biological function, and make these studies widely available.

However, beyond that program for struggle, it is the general conception of man—the freedom to create, to understand, to improve the laws of the universe for the common good of the species—which must be fostered and politically defended, against any outrage. That fight today subsumes the struggle against Nicolas Sarkozy, as well as against candidate François Bayrou, who has received the support of former IMF Director General Michel Camdessus. When the suppression of freedom becomes unbearable, it is necessary, in the words of the great German poet Friedrich Schiller, to grasp hold of "the eternal rights suspended high above, inalienable and indestructible as the stars themselves."

Ségolène Royal: Our Only Thinkable Choice

by Jacques Cheminade

The French Solidarité et Progrès party, led by Jacques Cheminade, is distributing 100,000 copies of this leaflet, beginning April 23, 2007.

We will vote against Nicolas Sarkozy, and therefore, for the Socialist Party candidate Ségolène Royal. Without reservations, without hesitation—for were the former Interior Minister to become President, France would overnight fall into submission to the political strategy of Blair, Cheney and Bush. She would turn into a mere soulless pawn in the game of the financial oligarchy.

The pedigree of Mr. Sarkozy is very clear:

1. He is the friend of the American neo-conservatives, whose favors he eagerly seeks. After paying a visit to Mr. Bush in September 2006, he did not hesitate to adopt positions directly contrary to those of his nation and of his own government. On top of it all, he unremittingly supports the leader of the Israeli right of the right, Bibi Netanyahu.

2. His economic policy has always been one of ultra-liberalism and selective repression. As Economics and Finance Minister, he opened the Paris Stock Exchange to foreign investments and closed the doors of social austerity on the workers. As Interior Minister, he was hard on the petty criminality of the most deprived, and soft on great financial criminality.

3. His personality is not reliable. Refusing any introspection, rejecting as absurd the command of Socrates to "know yourself," he is in flight-forward into activism and the quest of power for the sake of power.

4. To exert this power, he stretches himself around all contradictions, pasting together references of the high moments of Republican struggle in French history, such as the battle of Valmy, waged against the oligarchic forces of Europe during the French Revolution or the Resistance against Nazism, with, on the other side, compliments to the voters of the extreme right-wing National Front, and references to the Crusades!

He claims to be the "protector" of all of those Frenchmen who are "afraid of the future," although, de facto, he was and still is the protector-protégé of the most powerful financial and economic powers of the country (Bouygues, Lagardère, and Bolloré). His candidacy is, in every way, inadmissible: For him France is not this "certain idea" of General de Gaulle, but a conglomerate of interests of which he thinks he can become the master but of which, in reality, he is the servant.

A vote for Ségolène Royal is thus fully justified, to prevent Nicolas Sarkozy from coming to power. It must, however, be said bluntly: Today, on April 23, the first round is offering him every opportunity to win the second one.

Ségolène Royal, who, in her April 22 statement, condemned the powers of money and the law of the financial markets, must propose a bolder and more precise policy that would burst open the lock of the oligarchy's control. This policy must have as its vision, a new international economic and monetary order, a new Bretton Woods and a Eurasian Land-Bridge, "from the Atlantic to the Sea of China," going to India, Russia, and China; a Europe truly devoted to big projects, to great public works and cultural exchanges worthy of the name—and a France, as she has said, going home to the social impulse of the post-war period, and particularly to the Preamble of the 1946 Constitution. The standard must be set high, for what we are facing is a comeback of fascism, as during the 1930s crisis. From the negative standpoint, Ségolène Royal needs to organize the fight against Bush, Cheney, and Blair, and the interests that promote them, by seriously reaching out to those who are fighting against them in the United States.

From the positive standpoint, she must propose a national bank and a productive public credit policy to finance national and European works and projects.

We are talking about a profound, underlying change; but in a period of crisis, the "elephant" (as the French call the bureaucratic leadership of the Socialist Party, whom Royal fought to get their nomination) could only bring on a disaster. We need a free woman, able to rise above the crisis that grips the world and our nation, with bold initiatives that break the rules of the game, including within her own party. If she does that, Ségolène Royal, with her own instinct and strong character—which is a necessary quality in the midst of a storm—can carry the victory. We hope so.

As for those who voted for François Bayrou, it would be immoral and ridiculous if, first attracted to this "new force," they would then miserably join the candidate of those in his own party who betrayed him to join Sarkozy. And that having voted, or thought they had voted, during the first round against a "jammed up" society, they would, in the second round, give their vote to the one who will lock it up and subdue it all the more.

It is not by ignoring the dangers that threaten us, but by measuring up to them and braving them, that we will rise to our destiny. By restoring a beautiful society, no longer cowed by the ridiculous display of vanity which characterized the debates that followed the results of the first round, but by finding men and women able to rise above the eternal conflict between the natural and the rational, and to put their most intimate and most intense emotions at the service of justice and of reason. Such is the stake of the second round, and why we must block Nicolas Sarkozy's irrationality and injustice from power—which is possible, provided that we prepare for a real changing of the guard.