

**CONSTITUTIONAL DYNAMIC, POLITICAL RISK:  
SELF-DETERMINATION IN NEW CALEDONIA, 1986-1987**

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**Introduction**

On 20 March 1986 Bernard Pons was appointed minister for overseas departments and territories in the newly elected, liberal-conservative French government headed by Prime Minister Jacques Chirac. One week after his appointment Minister Pons was already able to outline his policy priorities and objectives concerning New Caledonia. Within a general approach to be marked by prudence and moderation, the overriding priority was to be economic development as the means to promote social integration. A program-law (*loi-programme*) would modify the existing territorial statute in the direction of greater French state control, while leaving unchanged the regional structures introduced in September 1985. The Chirac government's commitment to hold a self-determination referendum for the territory would be honored, although not for at least a year. If voters in this referendum rejected independence from France, a new territorial statute of enhanced regionalized autonomy would be introduced.<sup>1</sup>

By the end of 1987 it was clear that, while this initial policy platform of Pons's had been selective and too modest by half, it had, to a notably comprehensive extent, been realized--for good or ill. A degree of economic normality had been restored to the territorial economy: tourism

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was recovering the ground lost in 1984-1985, fiscal incentives had encouraged commercial and residential building in and around Noumea, even world nickel prices improved from early 1987. Promulgated in July 1986, Pons's program-law had been progressively implemented.<sup>2</sup> And, most decisively, in September 1987 a self-determination referendum had been conducted.

Yet at the beginning of 1988, by no means all sectors of territorial or wider South Pacific opinion accepted that France's New Caledonia policy was characterized by prudence and moderation. The coherence, resolution, and intrinsic effectiveness of Pons's policy dynamic had become clear. At the same time the limitations of the French authorities' unbendingly constitutional, formally democratic approach were no less evident as, in the aftermath of the 1987 referendum, informal social and political tensions intensified. In both Paris (outside government circles) and Nouméa it was widely feared that self-determination by the Caledonian electorate had been achieved at the cost of severe, possibly irreparable damage to social harmony and political dialogue within the territory.

This essay offers an initial critical account of the main stages and accomplishments of Pons's policy in New Caledonia from March 1986 to the end of 1987. It does so principally through accounts of the most important French legislative initiatives introduced during this period, and in particular by an interpretative presentation of the September 1987 self-determination referendum. The impact of this French policy strategy on a Caledonian political scene thoroughly divided on the issue of independence--constitutional dynamic at the cost of political risk--constitutes a running focus of the essay.

### **The Political Context, 1985-1987**

Radicalization, marked by intermittent acts of violence, was an established feature of the Caledonian political scene well before March 1986. Some twenty-eight politically motivated explosive and arson attacks, usually against property, were recorded between November 1984 and February 1986; since March 1986 their frequency has diminished.<sup>3</sup> Nevertheless political tension remained a constant undercurrent in territorial affairs throughout 1986 and 1987, spasmodically breaking out into localized confrontation and violence including land occupations and consequent expulsions and occasional shootings between police and Melanesians.<sup>4</sup> Above and beyond the enduring quarrel over independence, two particular features contributed to this contextual tension:

the role of the security forces and the state of the political parties. Both features derived directly, though not wholly, from Pons's constitutionalist policy dynamic.

Introduced in April 1986, so-called nomadization missions (*missions de nomadisation*)--ranging from minor public relations exercises to local public works projects--were carried out by units of the French armed forces among the Melanesian tribes throughout the rural, bush areas of mainland New Caledonia. Pons justified the army's presence and active intervention by the paramount importance of preventing any repeat of the 1984-1985 Kanak pro-independence insurrectionary disturbances. Only when conditions of civil security and the rule of republican law had been assured, Pons repeatedly argued, could the promised self-determination referendum be organized.

From the few dispassionate accounts available it appears that reticence or distrust on the part of many Kanak tribes combined with restraint by the French armed forces involved to ensure that, if grassroots France-Kanak relations were not markedly improved by nomadization, at least order was maintained (with limited, temporary exceptions).<sup>5</sup> The territory's principal independence movement saw things differently. At its sixth congress, in May 1987, the Kanak and Socialist National Liberation Front (Front de liberation nationale kanak et socialiste, FLNKS) condemned the military presence as reinforcing "the judicial, partisan and racist repression" of the French "colonial government."<sup>6</sup> Parallels were drawn by the FLNKS with the role of the French army in the Algerian war of independence of the 1950s. For the first but not the last time in the self-determination process Pons had, by his deployment of the security forces, effectively asserted the priority of republican constitutional norms at the political cost of deepening the France-Melanesian rift.

The internal state of most Caledonian political parties during this period also contributed to the radicalization of territorial debate. The FLNKS regularly exhibited signs of internal dissension over the content and tactics of independence policy and, by extension, over party leadership. Minority component parties, such as FULK and UPM,<sup>7</sup> objected to the FLNKS's dual strategy of institutional participation (in the regional assemblies established at the regional elections held in September 1985) and international diplomatic promotion of the Kanak independence cause through bodies such as the South Pacific Forum, the Conference of Non-Aligned Nations, and the United Nations. Claiming that regional participation had both demobilized rank-and-file FLNKS support and compromised the independence movement by association

with Caledonian banks and business interests, FULK argued instead for a return to the grass-roots militancy exhibited by the FLNKS battle committees (*comités de lutte*) of late 1984 and for the adoption of Libyan models of radical activism.<sup>8</sup>

While real enough, such differences of ideology and tactics were indissociable from the long struggle for power within the FLNKS between the head of the majority UC, Jean-Marie Tjibaou, and the leader of FULK, Yann Céléne Uregei. When the political bureau of the FLNKS twice removed Uregei from his post as minister for external relations in the self-styled Provisional Government of Kanaky,<sup>9</sup> the decisions were arguably motivated by both policy and personal objectives. Even irrespective of the nature of the French government's self-determination policy, such internal tensions ensured that the FLNKS had only minimal scope for continued evolution in the direction of participatory moderation. Given this FLNKS party context, it was not surprising that by the end of 1987 Tjibaou was again talking the language of disruptive activism and physical struggle.

Somewhat similar forces for the radicalization of party stances operated within the RPCR, the largest party opposed to independence.<sup>10</sup> Its leader, Jacques Lafleur, was publicly critical of the slightest perceived shift on the part of either Minister Pons or High Commissioner (*Haut-Commissaire*) Jean Montpezat toward political accommodation of what the RPCR considered to be the FLNKS "terrorists." Such resolute stances were in part adopted to reassert Lafleur's leadership in the face of dissidence among both extreme right-wing and more moderate elements of his party. As was the case with the FLNKS, tensions within the RPCR amalgamated policy disagreements with personal hostilities, ideas with ambitions.<sup>11</sup>

Unlike the FLNKS, the RPCR was also vulnerable to electoral and ideological competition from minor parties and groups on the extreme Right--the FN,<sup>12</sup> the Patriotic Action Committees, and the Free Caledonian Forces. The combined play of these internal and external pressures largely accounted for the RPCR's needlessly energetic criticism, in November 1987, of Pons's draft statute for regionalized autonomy in the aftermath of a self-determination referendum that, as will be seen, produced a result overwhelmingly in the party's favor.

### **Program-Law, July 1986**

The objective of normalization that lay behind the army's nomadization missions also inspired Pons's program-law, promulgated in July 1986.

This transitional modification of the New Caledonian institutional system directly anticipated the self-determination process to come in that, while its justification was formally democratic and constitutional, its impact was informal and largely political.

As a result of the regional elections held in September 1985 under the terms of the French Socialist administration's Pisani/Fabius Statute, three of the territory's four regional assemblies had come under the control of the FLNKS. This was in spite of the independence movement's attracting less than 29 percent of the total territorial vote.<sup>13</sup> Both Pons and the RPCR were determined to correct the formally undemocratic imbalance thereby created, and to reassert the electoral legitimacy and political authority of the territorial majority.

Pons's program-law did maintain the regions' geographical boundaries (see Figure 1) and the institutional framework of the Pisani/Fabius Statute. It also drained that statute's regions of their administrative substance and spirit of decentralized autonomy. In particular the regions' powers over local economic and fiscal policy, land reform, and direct district development links with Paris were sharply diminished.

In essence, the 1986 program-law shifted authority from the four regions to either the high commissioner (that is, to the metropolitan French state) or to the Caledonian Congress (in other words, to the territorial electoral majority). Expressed in the less democratically high-minded terms of party politics, the shift made was one from the FLNKS back to the RPCR. The resulting ambiguous conflation of (French republican) constitutional rigor with (French government and RPCR) party interest was as prominent a feature of the program-law as it was a central figure in the self-determination process of the following year.

That such a conflation was almost certainly unavoidable did not appease the FLNKS. From late 1986 on the movement complained that, by eroding the powers of the 1985 regions, the Chirac government was both renegeing on undertakings of the previous (Socialist) administration in Paris and effectively abandoning the objective of independence-in-association for New Caledonia with France, which had underlain the Pisani/Fabius Statute.<sup>14</sup> For Pons, such complaints were not unfounded, but were without point: the Chirac government was not bound to implement legislation passed by the Fabius government, and the constitutional route to independence lay through territorial self-determination, not through the imposition of some hybrid subindependence imposed by metropolitan France against the wishes of the Caledonian electorate.

The acutely politicized dialogue of the deaf over the program-law

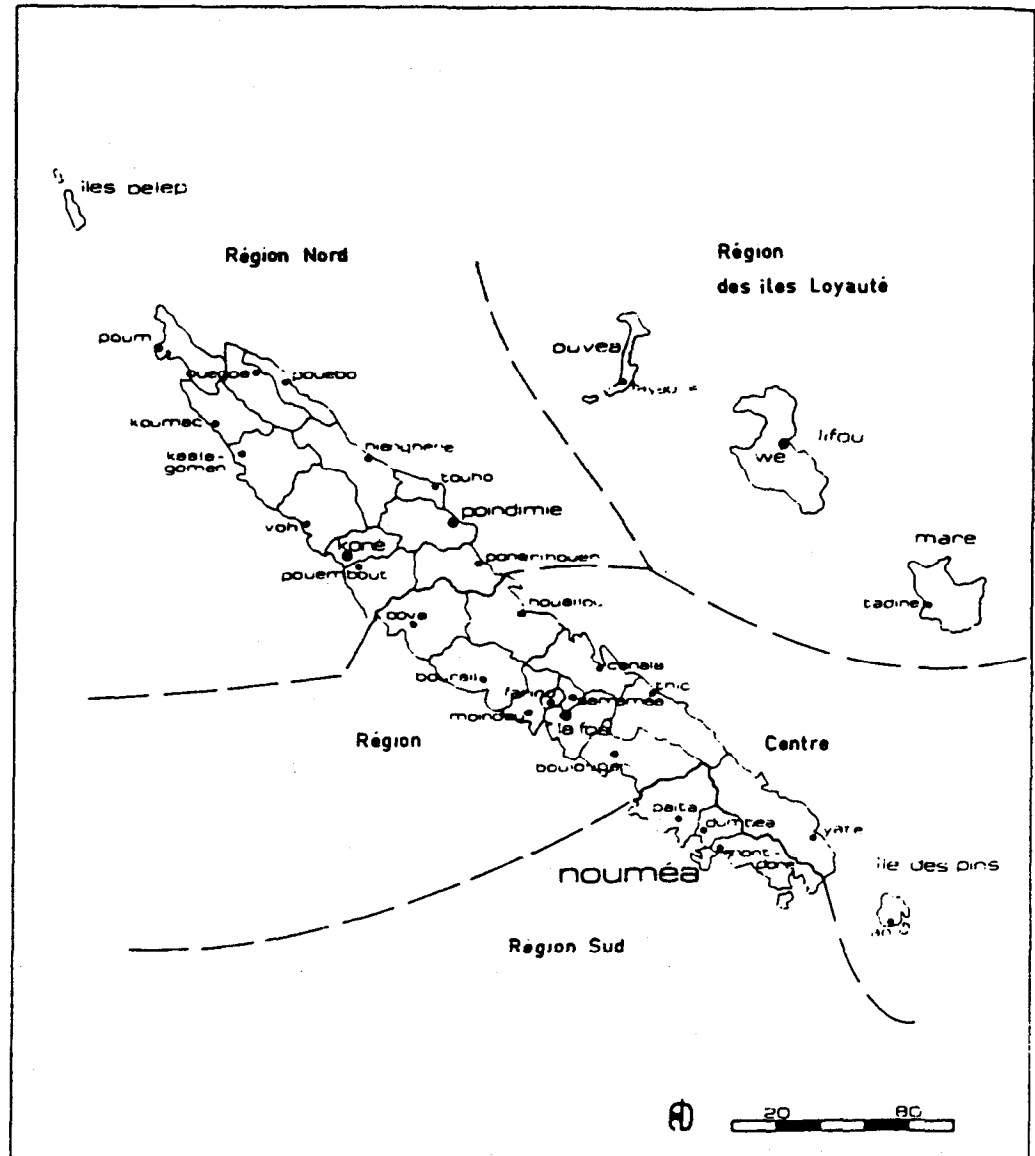


FIGURE 1. New Caledonia regions (as established under the 1985 statute) and *communes*. (Source: Institut territorial de la statistique et des études économiques, 1985.)

was exemplified by an exchange of letters, early in 1987, between the presidents of the three FLNKS-controlled regional councils (*conseils de région*) and French Prime Minister Chirac. According to the three FLNKS regional presidents, by “progressively stifling the [1985] regional institutions” the French government was “marginalizing the Kanak people, even negating its identity.” Its “reactionary, vindictive and partisan policy” was “recolonizing” New Caledonia by riding roughshod over “the rights of the Kanak people.”<sup>15</sup>

Chirac and Pons replied with detailed refutations of the FLNKS's charges of budgetary stifling of the regions. In particular, contrary to the Kanak presidents' claims of deliberate financial neglect, their three regions contained 40 percent of the Caledonian population, yet were receiving between them some 65 percent of total territorial equipment funding. Chirac's and Pons's responses to the claims of governmental anti-Kanak bias were to reassert their commitment to Caledonian (that is, multiethnic and not exclusively Melanesian) social and economic development, with priority emphasis on the underprivileged rural areas of the mainland and offshore islands (that is, those areas populated largely by Melanesians).

Essentially the political exchanges concerning Pons's program-law rarely rose above this rudimentary, unconstructive level of reproach and refutation. (This is not to say that regional practice under the program-law was invariably negative: after all, the FLNKS continued to participate in regional institutions until the end of 1987.)<sup>16</sup> On the FLNKS, pro-independence side, stress was systematically placed, within a conventional decolonization discourse, on ethnically delimited priorities (electoral, economic, political, social) that ought to be accorded the indigenous Kanak population. On the anti-independence, pro-France side occupied by the Chirac government and the RPCR, the arguments were just as exclusively anchored to juridical and quantitative concepts: constitutional fidelity, the rule of the electoral majority, and the application of rational-pragmatic, not ethnic, criteria in the allocation of development funding. Where the FLNKS refused to acknowledge the democratic imperatives of majority rule and ethnic equality, the RPCR remained deaf to the needs for social and economic equity. In a protracted and exacerbated form, this politically sterile dialogue later underlay the preparation, execution, and aftermath of the self-determination process.

### **Self-Determination Referendum Law, May 1987**

The Chirac government's drive to pass legislation enabling a self-determination referendum to be held was characterized by coherence of policy argument, expeditiousness, and, with few and minor exceptions, obliviousness to widespread criticism--territorial, regional, French metropolitan, and indeed international.

Talks between Pons and party leaders in New Caledonia during December 1986 and February 1987 yielded a double result. On the RPCR's tactical initiative, the usual French residency qualification for electoral participation was extended from six months to three years.

This move went a long way toward eliminating from the referendum those voters--mostly metropolitan French on term employment contracts, such as technicians, teachers, or health personnel--who were only temporary Caledonian residents without permanent and direct interest in the long-term future evolution of the territory.

After initial equivocation the FLNKS rejected this concession, reasserting instead its earlier demand for an electorate composed exclusively of the "victims of colonialism." In its most comprehensive definition this formula restricted participation in the referendum to the Kanak population and to that minority of the non-Melanesian population who had both parents born in the territory. Such an ethnically restrictive qualification for electoral participation is incompatible with both French democratic practice and constitutional law.

A direct consequence of this incompatibility was the second development, namely the definitive breakdown of the merely embryonic dialogue established between Pons and the FLNKS. By early February 1987 the rupture had been consummated, each side claiming that the other was responsible. Public contact between the Chirac government and the principal Caledonian independence movement had not been restored by the end of 1987.

Following the breakdown, no further hindrance existed to the passage of Pons's self-determination referendum bill. It was approved by the Cabinet in Paris in February 1987, then debated in both houses of the French Parliament in April and May. The National Assembly adopted the bill by 325 votes to 249, with the RPR-UDF government alliance supporting the bill with the FN,<sup>17</sup> while the opposition Socialist and Communist parties voted against it. After appeal to the Constitutional Council, it became law on 6 June 1987. Referendum day was set for the following 13 September. The rapidity and smoothness of the bill's parliamentary passage reveal nothing of the reservations and fears that it aroused, within and beyond Paris. In the first half of 1987, the undoubted advance made by Pons's constitutional dynamic was achieved in a context of intensifying political criticism and isolation. The tension between constitutional legitimacy and the risks inherent in applying that legitimacy to Caledonian political reality was central both to the passage of Pons's referendum bill and to the organization of the referendum itself.

The relevant third paragraph of Article 53 of the 1958 Constitution of the Fifth French Republic is unambiguous: "No cession, no exchange, no addition of territory shall be valid without the consent of the populations concerned."<sup>18</sup> For the Chirac government the self-determination referendum was the legitimate means by which to ascertain the "con-



sent” of the Caledonian “populations” either to become independent or to remain part of the French Republic. Chirac himself affirmed to the French National Assembly that “this referendum is democratic, in conformity with our Constitution and aims to reaffirm the primacy of law [in New Caledonia], the source of all freedoms.”<sup>19</sup>

While impeccable in its own terms, Chirac’s position was not necessarily either as high-mindedly detached or as politically adequate a response as his declaration might suggest. Territorial and metropolitan political considerations also exercised an influence: the need to appease the RPCR, the non-Melanesian electoral majority, and the parties and groups of the Caledonian extreme Right following defeat of the Socialist administration in the French legislative elections of March 1986. Or indeed Chirac’s own need to anesthetize the political situation in New Caledonia in advance of the 1988 French presidential election may have played a role: his own presidential candidacy might have been at risk had unrest flared up again in the territory.

Criticisms of Pons’s referendum bill came from many quarters: from François Mitterrand, the socialist president of the republic; from centrist and Catholic democratic members of the majority RPR-UDF alliance supporting the Chirac government as well as from the Socialists and Communists of the parliamentary Opposition; from the U.N. Decolonization Committee and from the member states of the South Pacific Forum; and from many civil rights groups, unions, churches, and other support organizations both in France and in New Caledonia.

Diverse as the criticisms were by origin, they were broadly homogeneous in their tenor. President Mitterrand spoke for many when he expressed his disagreement with French government policy. While he did not contest the principle of democratic self-determination, Mitterrand contended that the content of the referendum and the territorial context of its organization were vital elements.<sup>20</sup> As it was, the political divide between the Melanesian pro-independence minority and the non-Melanesian majority rendered the referendum at best superfluous (since its outcome in favor of remaining French was effectively foreknown) and probably dangerous (since it could provoke the pro-independency minority to violence out of desperation). In these conditions, Mitterrand’s argument ran, responsible prudence dictated that the referendum be postponed and greater interethnic confidence cultivated, by means of expanded programs of social integration and economic reform and by the promotion of political dialogue. In more vigorous terms, the Eighteenth South Pacific Forum “completely rejected” the referendum as “divisive, futile and a recipe for disaster.”<sup>21</sup>

As indicated earlier, these criticisms did not deflect Pons from work-

ing toward his objective, He did, however, respond to some of the objections. He argued that to postpone the referendum, as proposed by Mitterrand and the U.N. Decolonization Committee, would be to run a still greater risk: that of provoking unrest among the frustrated non-Melanesian territorial majority, who would be precluded by such a postponement from reaffirming their determination to resist independence. Far from being futile the referendum was, according to Pons, a "necessary preliminary": only after the electoral expression of the "populations concerned" had been formally registered could positive construction begin. In the case of a referendum vote against independence, this construction would take place within the terms of a statute of expanded autonomy, the main features of which Pons foreshadowed at the time of the parliamentary debate on the referendum bill.

But in April and May 1987 Pons's principal concerns lay less with the justification of his referendum bill than with its content, and in particular with those terms intended to reinforce the security and international credibility of the poll. In addition to the three-year residency qualification mentioned earlier, the principal safeguards included special administrative commissions headed by magistrates (and not, as customarily, by local political representatives) to draw up new electoral rolls and a control commission staffed by magistrates (that is, not by politically partisan officials) to organize the election campaign and oversee the referendum and counting of votes. On polling day, each voting station was to be presided over by a judicial magistrate. Finally, to counteract any physical disruption of the vote--as occurred during the FLNKS's active boycott of the Territorial Assembly elections of November 1984--the high commissioner had discretionary authority to relocate voting stations within the boundaries of a given municipality (*commune*). As minimal disruption in fact occurred and as no substantive protests, territorial or external, at the formal conduct of the vote were registered, these exceptionally detailed measures insisted upon by Pons may be thought to have fulfilled their purpose.

### **Self-Determination Referendum, 13 September 1987**

At the end of May 1987 the sixth congress of the FLNKS adopted the proposal of Tjibaou's UC to boycott, in nonviolent fashion, the self-determination referendum. Two weeks later the much smaller independence party LKS<sup>22</sup> also decided to call on its supporters to abstain, while (unlike the FLNKS) participating in the official election campaign. Once these unsurprising stances had been adopted by the principal

Kanak independence movements, the election campaign proceeded in unruffled, almost ritualistic fashion. Substantive discussion of the territory's longer-term future, whether in independence or not, was totally subordinated to affirmation of the respective incompatible positions, for and against independence from France. Promises and polemics excluded dialogue and needed debate.

The earlier, unofficial campaign period saw Pons calling for maximum voter participation, especially among the Melanesian population, predicting the decline of the independence movement, and promising in classic fashion increased budgetary aid for New Caledonia in 1988<sup>23</sup>-- assuming that in the referendum independence was rejected.

The FLNKS employed the same period both to test the capacity and determination of the French authorities to maintain civil order and, by systematic recourse to nonviolent methods of demonstration, to promote its cause before the international media. On balance its efforts in both directions failed. On 6 August Pons banned large-scale marches and other public demonstrations that were being organized by both the FLNKS and the RPCR. Three days later the political bureau of the FLNKS called for a "massive mobilization" of its militants and declared its intention to go ahead with a "march for independence in peace" in spite of the ban. No such march materialized. On 22 August, however, nonviolent demonstrations were organized by the FLNKS throughout much of the Caledonian mainland: estimates of the numbers involved ranged between two thousand and ten thousand. While the majority of these demonstrations took place without incident, tear gas was used to disperse some three hundred demonstrators at Thio, on the east coast, while in central Nouméa French riot police forcibly broke up an illegal sit-in by two hundred FLNKS supporters. Four days later one thousand FLNKS supporters demonstrated without incident in Nouméa. Sympathetic exposure by French metropolitan and Australasian television media could not conceal the relatively modest level of Kanak mobilization, perhaps attributable in part to the FLNK's adoption of nonviolent tactics.<sup>24</sup> No further physical confrontations of note occurred during the election campaign.

The official television and radio campaign ran from 30 August to 11 September. The RPCR, FN, and LKS all used their allocations of broadcasting time. Consistent with its condemnation of the referendum as "a sham" and "null and void,"<sup>25</sup> the FLNKS chose not to take part in the official campaign, although it continued to broadcast on Radio Djiido, its own station. Moderation or intellectual innovation did not figure prominently in the campaign. At best, well-known positions on both

sides were reiterated in simplistic fashion, such as when the RPCR's Dick Ukeiwé identified a vote for remaining French as a vote for freedom, prosperity, and a Caledonian future characterized by multiracial participation.<sup>26</sup> On a more emotional register, Tjibaou called on Kanaks to abstain from voting in the referendum and so refuse all complicity in their "cultural genocide."<sup>27</sup>

The referendum itself passed without incident. Its outcome was, in most respects, as unsurprising as the election campaign preceding it had been unremarkable (see Table 1). Application of the three-year residency qualification had resulted in the judicial control commission's eliminating from the electoral rolls approximately five thousand voters,<sup>28</sup> of whom 80 percent had been registered in greater Nouméa. The number of non-Melanesian abstentions was consequently reduced, resulting in a proportional turnout of 59.10 percent, perceptibly higher than had been expected<sup>29</sup>--or, by the RPCR, feared. The vote in favor of remaining within the French Republic was not only overwhelming in terms of the votes cast (98.3 percent), but also represented the views of a comfortable absolute majority (57.17 percent) of the total electorate. Even if all those who abstained had favored independence for New Caledonia, the referendum's outcome would not have been different.

Nevertheless the abstention rate of 40.9 percent did indicate that Melanesian support for independence had been largely sustained. In the three predominately Melanesian regions controlled by the FLNKS, the abstention rate exceeded 50 percent (Center, 54.7 percent; North, 67.3 percent; Loyalty Islands, 75.1 percent), in contrast to the abstention rate of only 19.0 percent in the South region, which includes Noumea, is controlled by the RPCR, and is predominately European. Outside the South region participation rates higher than 50 percent were recorded only in those municipal districts in which the majority of the electorate

**TABLE 1. Self-Determination Referendum, 13 September 1987**

Registered voters	85,022	
votes cast	50,250	
Turnout	59.10%	
Valid votes	49,453	
		% of Valid
<b>Results</b>	<b>Votes</b>	<b>Votes</b>
In favor of remaining in the French Republic	48,611	98.3%
In favor of acceding to independence	842	1.7%

is European (that is, in the *communes* of Bouloupari, La Foa, Farino, Moindou, Bourail, Pouembout, and Koumac; see Figure 1). Beyond doubt the referendum had reconfirmed the electoral partition of New Caledonia--Melanesian against non-Melanesian, for and against independence.

At the same time extrapolation from the poll suggested that electoral support for the FLNKS was stagnant or even in regression. Subtraction of the historically low abstention rate of 19.4 percent (recorded in the 1985 regional elections, in which the FLNKS participated actively)<sup>30</sup> from the referendum's 40.9 percent abstention rate implies a territorial level of support for the independence movement of less than 22 percent. In the 1985 regional elections the FLNKS attracted 22.85 percent of the electorate's votes. If abstentions on behalf of the LKS were taken into account, the situation of the FLNKS looked still worse.

### **Regionalized Autonomy Statute, December 1987**

Confirmed in his strategy by the outcome of the self-determination referendum, Pons pressed ahead with the promised territorial statute of broad self-management autonomy (*statut de large autonomie de gestion*), the main lines of which had been foreshadowed as early as April 1986. He presented a draft version of the new statute on 6 October to the territorial Congress in Noumea, which adopted the draft on 3 November. By the end of the same month the National Assembly in Paris had debated and adopted the bill on its first reading. Elections under the new statute were due to be held within one year of the bill's becoming law.

The draft bill differed little in essentials from versions anticipated a year or more earlier. The principle of regionalized administration was retained while the regional boundaries introduced under the Pisani/Fabius Statute were modified to reduce the number of FLNKS-controlled regions from three out of four to two.<sup>31</sup> Both the new regions and the *communes* were granted expanded powers to enable them to deal more effectively with development needs in inland, rural Caledonia. A ten-member territorial Executive Council was to be composed of a president elected by an absolute majority of Congress, five members elected on a proportional basis from the Congress (itself composed of the forty-eight regional councillors), and the presidents of the four regions. To protect minority interests a two-thirds majority of the Executive Council would be required for adopting certain important policy decisions, including the territorial budget. The high commissioner retained the

right to arbitrate in the absence of an executive majority. A territorial custom chamber, composed of the fifty-two Melanesian great chiefs, was to play a consultative role on matters relating to custom law. The French state retained responsibility for New Caledonia's external relations and defense, police forces, currency, judicial system, and secondary and higher education.

During passage through its early formal stages both in Nouméa and Paris, the new autonomy statute met with wide and conflicting criticism. Political support for the Chirac government's policy strategy diminished and Pons's isolation from parties in New Caledonia deepened.

The FLNKS, of course, refused to recognize the autonomy bill. Even before the referendum Tjibaou had declared that the FLNKS would boycott the new Pons regions and would refuse to participate in any other elections.<sup>32</sup> After the referendum FLNKS leaders went further, committing their movement to disruption of the regional elections that would have to be held to implement the new statute. The gap between the Chirac government and the FLNKS had never been wider. The statute that Pons considered to be "an essential element in the reconciliation" of the ethnic communities in New Caledonia was denounced by Tjibaou as "the negation of our [namely, the Kanak] people."<sup>33</sup> An influential factor in this further radicalization by the FLNKS was the severe deterioration of the Caledonian sociopolitical climate that occurred in the weeks following the referendum.<sup>34</sup>

The FN and groups on the extreme Right claimed that Pons's autonomy statute was likely to lead eventually to independence and that the modified regionalization gave unnecessary guarantees and excessive power to the pro-independence minority. Like the members of the FLNKS, the Caledonian FN councillors abstained from voting on the draft bill presented to Congress in Nouméa, while metropolitan FN deputies voted against the bill at its first reading in the National Assembly in Paris.<sup>35</sup>

The RPCR shared some of the reservations of the FN but eventually supported the bill. In particular the RPCR was not disposed to make concessions to the FLNKS: it opposed the principle of a two-thirds majority for certain decisions of the proposed Executive Council and advocated increasing French state control by retaining the presidency of the Executive Council in the hands of the high commissioner, rather than in those of a locally elected member of Congress. Minor adjustments excepted, Pons overrode these reservations of the RPCR.

### Prospects

The degree of success obtained by the French government's constitutional dynamic should not be underestimated. The strategy pursued with coherence and determination by Bernard Pons since April 1986 had, by the end of 1987, achieved its objective. The referendum held in September 1987 ensured that no Caledonian party or group and--perhaps more significantly--no government in France, present or future, will be able to push New Caledonia in the direction of independence without incurring the politically intolerable accusation of riding roughshod over the referendum's constitutionally impeccable outcome. Short of armed uprising, the situation frustrates not only the FLNKS but also any extreme right-wing European movement.

That said, the acute developmental dimension of the Caledonian imbroglio remains to be tackled in its entirety. At the end of 1987 interethnic dialogue, institutional or grass-roots, appeared moribund. The non-Melanesian majority parties were singularly ill-equipped to respond to the imperative demands of socioeconomic justice. The FLNKS declared itself to be committed to bringing about the failure of Pons's autonomy statute by any means. A return to armed militancy could not be excluded. In a South Pacific regional context marked by the indigenous minority coup d'état in Fiji of May 1987, the prospect of a formally democratic, firmly policed continuity of ties with France was not to be rejected out of hand. It was, however, an inadequate, merely potential basis on which to organize the territory's future evolution.

### NOTES

This article is based on events through mid-December 1987.

1. Ministerial press conference, 27 March 1986; see *Le Monde*, 29 March 1986.
2. For an earlier account of the program-law, see Alan Clark, "Conflict Formal and Informal: Elections in New Caledonia, 1984-1986," *Pacific Studies* 10, no. 3 (July 1987): 103-104.
3. For details, see *Le Monde*, 9 July 1987; Clark, "Conflict Formal and Informal," 92.
4. For example: on 6 September 1986, a Melanesian was wounded by a French paratrooper at Nakéty; on 28 April 1987, near Koné, a gendarme was shot and killed by a Melanesian suspected of theft. Such incidents were invariably exploited for political advantage by both pro- and anti-independence sides.

5. Consistent figures are hard to obtain. According to Pons, in May 1986 five thousand military personnel (including gendarmes and Compagnies républicaines de sécurité [CRS] riot police) were stationed in New Caledonia, with an additional fifteen hundred men about to be installed there. General Franceschi, commander-in-chief of the armed forces in New Caledonia, reported a total of 5,877 (including 3,403 army personnel and 1,577 gendarmes) in July 1987. In the weeks preceding the referendum in September 1987 this total (military, CRS, and gendarmes combined) was increased to some 7,300 (including 3,400 army personnel). See reports in *Le Monde*, 16 May 1986, 9 July 1987, and 16-17 August 1987. Pons frequently claimed that the armed forces would on no occasion be employed to maintain civil order, and that the total number of security forces deployed in the territory under his authority would always remain below the highest levels reached during the Socialist administration, in September 1985.

6. Communiqué published by the sixth congress of the FLNKS, Ponérihouen, 28-29 May 1987.

7. The FLNKS was formed in September 1984 as a majority replacement for the FI (Front Indépendantiste, Independence Front). The principal component parties and groups of the FLNKS are: UC (Union calédonienne, Caledonian Union), PALIKA (Parti de libération kanak, Kanak Liberation Party), UPM (union progressiste multiraciale, Multiracial Progressive Union), FULK (Front uni de libération kanak, United Kanak Liberation Front), USTKE (Union des syndicats de travailleurs kanaks et exploités, Allied Unions of Kanak and Exploited Workers), and PSK (Parti socialiste kanak, Kanak Socialist Party).

8. For example, at the fifth congress of the FLNKS, held on the Loyalty Island of Lifou, 15-17 August 1986.

9. On 15 March 1986 and again on 25 August 1987, just three weeks before the self-determination referendum.

10. Rassemblement pour la Calédonie dans la République, Rally for New Caledonia in the (French) Republic.

11. For example, in March 1987, right-winger Justin Guillemard was expelled from the RPCR for publicly attacking party policies concerning land reform and the three-year residency qualification for participation in the self-determination referendum (see p. 11). He now presides over the extreme right-wing, activist Comités d'action patriotique (Patriotic Action Committees). The much more moderate Henri Leleu was sufficiently critical of what he saw to be Lafleur's inadequate commitment to socioeconomic reform and interethnic dialogue that he left the RPCR to establish, in July 1987, a moderate anti-independence party of his own, the Association pour le renouveau calédonien (Association for Caledonian Renewal). Coming from opposing ideological wings of the RPCR, the criticisms of Guillemard and Leleu shared a common disquiet at the politico-financial hegemony of the RPCR under Lafleur's leadership. Both Guillemard and Leleu intend to run their parties against the RPCR in future regional elections.

12. Front national, National Front.

13. For an account of the Pisani/Fabius Statute, and the results and analysis of the 1985 regional elections, see Clark, "Conflict Formal and Informal," 99-103.

14. For example, in J.-M. Tjibaou's letter to President Mitterrand, 21 January 1987; reported in *Le Monde*, 30 January 1987.



15. See texts, reports, and an interview with Pons in *Le Monde*, 18 February, 20 February, and 13 March 1987.
16. For all their reduced powers and funding restrictions, the regions managed, in the year ended March 1987, to launch between them some fifteen hundred projects (small-scale agricultural and industrial initiatives, local communications and infrastructure developments, and so on), with a global investment cost of F66 million (US\$11 million). See Frédéric Bobin, "La Régionalisation adoucit les moeurs," *Le Monde*, 10 September 1987.
17. Rassemblement pour la République, Rally for the Republic (neo-Gaullist, liberal; leader, Jacques Chirac). Union pour la Démocratie française, Union for French Democracy (an alliance of liberal and center-right parties). Front national, National Front (nationalist extreme right; leader, Jean-Marie Le Pen).
18. The FLNKS interpreted the term "the populations concerned" to mean the indigenous Melanesians and other "victims of colonialism." Such an interpretation was irreconcilable with Article 2 of the Constitution: "[The French Republic] shall ensure the equality of all citizens before the law, without distinction of origin, race or religion."
19. Speaking during the general policy debate of the National Assembly, 7 April 1987; see *Le Monde*, 9 April 1987.
20. Speaking to the Cabinet in Paris, 18 February 1987; and to French television audiences, 29 March 1987. Under the French Constitution the prime minister, not the president of the republic, is the executive head of government: cf. Article 21, "The Prime Minister shall direct the operation of the government. . . . He shall ensure the execution of the laws."
21. Forum communiqué, 29-30 May 1987, Apia, Western Samoa.
22. Libération kanak socialiste, Kanak Socialist Liberation (leader, Nidoish Naisseline).
23. Of F137.5 million (US\$24 million). Speech at Poindimié, 3 August 1987.
24. Or so the deputy leader of the FLNKS, Yeiwéné Yeiwéné, believed a month after the referendum; see *Le Monde*, 24 October 1987. In contrast the RPCR attracted some twenty thousand supporters to its Fête de la Liberté (Festival of Freedom) held in suburban Nouméa, 9 September 1987.
25. Tjibaou speaking on the metropolitan French public service radio network, France-Inter, 1 September 1987.
26. During the official television and radio campaign, 2 September 1987. Ukeiwé is a senator for New Caledonia and a prominent Melanesian leader within the RPCR.
27. On Radio Djiido, 10 September 1987.
28. According to Pons, 15 percent of Polynesian voters were in this way eliminated, 12.5 percent of Europeans, 8 percent of Wallisians, 7.5 percent of "other ethnic origins," and 2 percent of Melanesians; see *Le Monde*, 16 September 1987.
29. In the legislative elections of 16 March 1986, when a passive boycott by the FLNKS was also in operation, the turnout had been only 50.39 percent. At that time the three-

year residency qualification had not applied and the territorial electorate had been larger, at 90,578.

30. See Clark, "Conflict Formal and Informal," 101-103.

31. The new South Region was to be expanded to include the *communes* of Yaté and Ile des Pins (see Figure 1). The *communes* of Dumbéa and Paita were included in a West Region (which replaced the North Region of the 1985 statute). The Center Region (minus Yaté and Ile des Pins) became a new East Region. The Loyalty Islands Region was unchanged.

32. Except in an independence referendum acceptable to the FLNKS. Speaking at Hienghène, 2 September 1987.

33. Both speaking on 4 November; see *Le Monde*, 6 November 1987.

34. Three incidents in particular contributed to this deterioration. On 30 September, near Koné, two gendarmes were shot and killed by Melanesians. A month later, on 29 October, a European jury at the Assize Court in Nouméa acquitted on grounds of self-defense seven mixed-race (*métis*) farmers accused of murdering ten FLNKS militants (including two brothers of Tjibaou) at Hienghène on 5 December 1984. The verdict was widely criticized in New Caledonia and in France. On 6 November, a Kanak youth was shot and killed by gendarmes on Saint-Louis tribal land north of Noumea. The exchange of fire between Kanak militants and gendarmes was the most serious confrontation since the insurrectionary disturbances of late 1984.

35. On 25 November 1987. The bill was passed by the narrow majority of 289 votes (RPR and UDF) to 283 (FN, Socialists, and Communists).