



Getting to ‘Oui’ in the Nouméa Accord’s Final Status Talks

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Introduction

Behind a façade of stability, New Caledonian politics is shifting away from its long-established bipolar structure. While there is no chance the deep schism between supporters and opponents of independence from France will suddenly dissolve, it is being gradually eroded by ongoing cultural and political trends. Even if glacially slow, this change is becoming increasingly noticeable. One effect of this incremental movement towards the centre might be the empowerment of moderates in both camps as they negotiate a new settlement of New Caledonia’s political status by 2024. Whether a potential new deal results in cementing the status quo — local autonomy for Nouméa under French rule — or grants New Caledonia some independence in free association with France, the gap between what both camps want is narrower than ever before. While the country’s two-party political structure is far from dead, New Caledonians are increasingly moving on from the bipolar mentality.

One counterargument needs no defence, because it is often conventional wisdom in government and academia: that, for all of its progress, New Caledonia remains as stuck in the same quagmire as ever and will remain there into the future. Australian and French observers of New Caledonian politics are often uncritically pessimistic about the odds of an agreement of the kinds achieved in 1988 and 1998. This would be a mistake.

The view that New Caledonia’s future will resemble its present and no hard break is possible would be a risky assumption for analysts, infected as it is by New Caledonians’ own pessimism. There is an empirical basis for this impression, albeit limited. It is likely, for instance, that a local who fell asleep in 1975 and awoke from a coma in our day would be struck by all that appeared familiar.

In the New Caledonia they knew, most Indigenous Kanak people lived in tribes throughout the mainland and islands, while non-Kanak communities were clustered in towns on the west coast and in the urban sprawl of Nouméa. Today, they would find much the

Glossary

Caldoche	A New Caledonian of European or mixed ancestry, especially from a rural background.
New Caledonian	A local by birth or long-term residency; includes all communities.
Independentist	A supporter of independence from France; mostly Kanak voters.
Kanak	An Indigenous New Caledonian of Melanesian, Polynesian or mixed ancestry.
Loyalist	A firm supporter of remaining part of France; mostly non-Kanak voters.
Non-independentist	All supporters of remaining French; includes hardliners and moderates.
Wallisian	A non-Indigenous Polynesian New Caledonian from Wallis and Futuna.

same human geography but with a surprising 52 per cent of Kanak people now living in the urbanised south, up from 39 per cent in 1989 (Rivoilan 2019a:3). While the Kanak are the largest community at 41.2 per cent of the population today, this percentage is barely changed from 1976, when they made up 41.7 per cent (Levallois 2018:55).

Our observer would awaken to find New Caledonia still sharply divided along basically ethnic lines. Most Kanak people today vote for parties that want New Caledonia to become independent from France. Most Caldoche people, the long-established European and mixed community that includes former convicts, still overwhelmingly vote to remain French. And the Caldoches’ narrow democratic majority is still built on

their coalition with other migrant communities. The 22,500-strong Wallisian community, representing eight per cent of the population (Rivoilan 2019a), still props up the pro-France majority as it did 40 years ago. While their vital support is softening, it remains firm enough to deny the independentists outright victory at the ballot box.

Despite its stunning social and technological changes — Nouméa's gleaming hospital and drive-throughs, a city of squats and wi-fi — our sleeper would find much to be the same. The French flag still flutters over New Caledonia, even if it is now flanked by the Kanak flag. The country's political institutions, public service and population are still cleanly split down the middle between supporters and opponents of independence. Behind the alphabet soup of new political parties, our observer would still make out the same ideological schism between a mainly left-wing, pro-independence Kanak camp and a mainly right-wing, anti-independence non-Kanak camp.

While some inequalities have been reduced in the past 40 years, the divide between the modern economy — highly protectionist and dominated by minerals exports and French subsidies — and the traditional subsistence lifestyle of rural Kanak and some Caldoche farmers is only deepening. In this context, it would take our observer little time reading the daily *Les Nouvelles*, *Le Monde* or *Sydney Morning Herald* to believe that there had never been and could be no change. That the same grey cloud of conflict, sclerosis and deadlock over New Caledonia would hang there for all time. Referendums would come and go but the status quo would remain immovable.

Observers of New Caledonian politics have a similar tendency to assume, like our sleeper, that its current two-bloc structure is an unshakeable law of nature and that no solution to the country's five-decade independence struggle is in sight, much as people once thought the Berlin Wall insurmountable. But behind the illusion of a static and eternal order, New Caledonia is entering warning time of a potential strategic shock. This paper argues that, in part because bipolar politics is fraying under intensifying centrifugal pressure, a new grand bargain is likely by 2024.

Part 1. Historical background

The bipolar form of New Caledonian politics first arose in the 1970s from the collision of two opposing forces that tore up the post-war order. At the time, the Union Calédonienne (UC) party had dominated for decades. In keeping with its motto 'two colours, one people', the UC was kept in power by two constituencies: newly enfranchised Kanak voters, who made up over 50 per cent of the population until around 1960, and Caldoche and other voters. The UC united the country's two largest communities behind the ideal of autonomy while remaining part of France.

By the 1970s, a tectonic shift had broken this Caldoche–Kanak entente. The new order pitted the largest ethnic group, the Kanak people, against the majority made up of other communities. This emerged in the wake of the 1968 unrest in France. Kanak elites returning from their studies in Paris brought back revolutionary ideas of Indigenous identity, rights, cultural self-expression and self-determination combined with Marxist and environmentalist elements. Yet, they were still a tiny minority whose politics the UC, its base traditionally mostly Kanak, rejected.

But Paris forced a choice. For years, French officials had openly campaigned against the island's autonomy. 'New Caledonia belongs to [France]', one official reminded local politicians in 1972 (Levallois 2018:55). At that time, French prime minister Pierre Messmer — who orchestrated the mass migration of guest workers to the island to dilute the Kanak vote — warned that autonomy was a slippery slope to becoming a 'Rhodesia or Australia' (ibid.:141). The Kanak–Caldoche axis fractured under concerted pressure from France. Even conservative prime minister Jacques Chirac told a UC delegation in June 1975 that autonomy was dead. If you don't like France governing you, he said, 'you may as well ask for your independence' (Lenormand 1991:145).

Kanak politicians did just that (ibid.). Only weeks after Chirac's outburst, pressure from Paris radicalised Kanak nationalists to seek independence (Levallois 2018:93). Newly pro-independence Kanak parties fused into a first coalition in 1979 and in 1984 became the umbrella party that still exists today: the Front de libération nationale kanak et socialiste (FLNKS), established by Jean-Marie Tjibaou.

To check this rising independentist bloc, the non-independentist camp fused into its own mega-party in 1977: the Rassemblement pour la Calédonie dans la République (RPCR), led by the Caldoche leader Jacques Lafleur. Much as the FLNKS' eclectic ideologies were forged into one by the potent new force of Kanak nationalism, the RPCR also united diverse political philosophies. The leading current expressed a strong loyalty to France and universalist French values, earning party faithfuls the name 'loyalists'.

However, the RPCR was also animated by a strong vein of Caldoche nationalists who were as hostile towards the perceived haughtiness of French officials as the independentists. They only welcomed French rule for the economic, political and security benefits it conferred, not out of a deep identification with the French idea. Lafleur himself channelled the pro-autonomy sentiment in Caldoche political thought that went back to the UC's long rule. Thus, even as it fought to stay French, the RPCR defended 'real decentralisation' from Paris (Lafleur 2000:227). Lafleur resisted the term *loyaliste* for wrongly implying that Caledonians should be loyal to a French state 'preparing civil war' (Bertram 2012:55).

As duelling Kanak and Caledonian nationalisms — the former desiring total independence from France, the latter a decentralised union with France — fed off each other, bipolar tensions frayed the social fabric. Political violence soon became commonplace. The election of socialist François Mitterrand as French president in 1981 was particularly polarising, stoking the hopes of Kanak supporters that he would grant them independence and the fears of Caldoche critics that he would do the same.

In Nouméa, Mitterrand's officials set to work reforming local institutions to favour the independentists, but not as fast as the latter had hoped (Angleviel 2006:71). High Commissioner Jacques Roynette (2008:79), the most senior French official, later wrote that Paris knew 'full well' the fatal flaw in its policy. The Kanak-led pro-independence parties had neither a majority nor the non-Kanak support to form one, so half-measures from France only emboldened hardliners. Their leader, Eloi Machoro, issued a remarkable threat in 1983: unless Paris manufactured a Kanak majority that guaranteed a 'yes' vote, he would boycott the last-ditch peace talks in Nainville-les-Roches from 8–12 July 1983 (ibid.:78). Machoro did attend the talks, where he purportedly scrunched up a 1980 letter from Mitterrand promising to grant New Caledonia independence and threw it at Georges Lemoine, Mitterrand's portfolio minister (Lafleur 2000:39). Was this, Machoro asked, worth 'shit all' (ibid.)?

As tensions soared, Lemoine tried to pacify the territory by recognising New Caledonia's right to self-determination (Rollat 21/5/1983). Speaking from Nouméa, he promised that New Caledonia could be independent if the plan won majority support and that France would stop arbitrarily changing its status. This satisfied neither side, both of which felt betrayed. The independentists saw no alternative to armed uprising; the loyalists saw none to armed resistance. It was in this volatile context that the FLNKS was launched in September 1984. Setting a goal of Kanak and socialist independence, it saw all French elections as illegitimate. It also declared the Kanak the island's 'sole legitimate people' (Debien-Vanmaï 2010:5).

Burnt-out cars, bullet shells and ash soon littered New Caledonian streets. The crisis would be euphemistically called Les Événements, or 'The Events', while one local historian referred to it as the New Caledonian civil war (Calédonitude 12/3/2015). On 7 January 1985, High Commissioner Edgard Pisani, Lemoine's successor, unveiled a grand bargain of independence–association to arrest the crisis. The 'Pisani plan' offered to make New Caledonia an associated state of France using Article 88 of the French constitution, which enables sovereign states to integrate with France (Havard 2016:121, 139). A referendum on the plan was scheduled to be held within six months. If the 'yes' won, Paris would immediately sign an associated state treaty with Nouméa. Despite the risk of war, Pisani seemed confident that independence could be proclaimed within a year (ibid.:137–40).

But, going back on its promises, neither side was consulted before Paris' top-down edict. The FLNKS' Tjibaou rejected the plan as a neo-colonial ploy and would not settle for less than full sovereignty (ibid.:140–41). The loyalists were livid, seeing Pisani as the face of a treasonous French state siding against the majority, the outcome Machoro had wanted. On a visit to Ouvéa, Pisani reportedly told a Kanak loyalist he mistook for an independentist that siding against the majority was precisely his goal (Godard 1993:301). Violence spiked soon after the plan's release (Aldrich 1993:247; Havard 2016:142). Within days, a young Caldoche was shot by an unknown gunman believed to be FLNKS and Machoro was killed by a French special forces sniper. Tear gas filled Nouméa's lungs and hatred the country's hearts.

The context of the plan's release doomed it to fail. Pisani's open admiration for the independentists earned him only limited trust from the FLNKS in exchange for the RPCR's extreme distrust. The ambiguity in Pisani's policy is seen in the twin facts that he was both suspected by the RPCR of helping Machoro occupy a mining town in November 1984 (Franceschi 1998:57) and by the FLNKS of ordering the killing of Machoro two months later (Schneidermann 16/1/1985). From 1984–88, clashes between these parties' supporters and the French state claimed over 90 lives as militias engaged in guerrilla-style activities (Feertchak 2/5/2018). Paris inflamed tensions by vacillating between backing and repressing Kanak parties, most infamously in the April 1988 Ouvéa massacre, the largest army combat operation against French citizens since the Algerian War (*Le Point* 1988:31).

The Matignon Accord of 26 June 1988 and the Oudinot Accord later that year laid the foundation of the *Pax Caledonia* that endures today. These deals enacted lasting political, social, economic, cultural and land rights reforms. The three provinces that exist to this day were drawn with the pen strokes of Tjibaou and Lafleur, both of whom rejected the option of partition. The Kanak people were designated the 'principal beneficiary' of a wealth distribution policy known as *le ré-équilibre* (the rebalancing) that was designed to correct 'imbalances caused by colonisation' (Accords de Matignon-Oudinot 1988:17). A new Caldoche–Kanak grand bargain was central to this peace. In exchange for the RPCR accepting the Kanak people's right to self-determination, the FLNKS agreed to share this right with long-term residents. The deal was extended on 5 May 1998 by the Nouméa Accord, which bundled three big innovations.

The first was the creation of a power-sharing government, wrenching executive power from Paris, which had temporarily taken it back in 1988. The second reform, a first for France in response to independentist demands, was for Paris to share sovereignty with New Caledonia on foreign policy, particularly in the Pacific.¹ A groundbreaking third aspect of the deal was its ratchet mechanism ensuring that each new devolution of power from Paris to Nouméa was irreversibly one-way, which the French constitution guarantees. Under the Nouméa Accord,

France cannot take back the sovereignty it has shed.

The Nouméa Accord transformed New Caledonia's relationship to the historically often overbearing French state. From 1998 to 2021, Paris transferred to Nouméa (35 per cent) or shared with it (51 per cent) some 86 per cent of its sovereign powers (see Table 1). This capacity building expanded the New Caledonian government from being a largely internal administrative unit of France, like other overseas French departments and territories, into a demonstrably capable and well-resourced quasi-state. Paris now controls only eight powers, half in consultation with Nouméa. France, working with local politicians, arguably deserves credit for conceiving and implementing this unique, if unfinished, decolonisation process. Table 1 provides a non-exhaustive list of powers transferred to New Caledonia.

Both peace deals made what Tjibaou called a 'bet on intelligence' (Bussereau and Dosièrè 2017:161). The negotiators hoped for two things: first, that decentralisation, economic rebalancing and power-sharing would restore peace; and second, that this peace would end bipolar politics by either fostering a compromise solution or bringing one side over to the other's point of view. Despite enduring inequalities that disadvantage Kanak people (Gorohouna and Ris 2017), the first objective was markedly successful when measured against the plight of the Kanak in the 1970s, a fact observers of New Caledonian politics, including French writers, do not always adequately emphasise. But the second objective, on the face of it, seems to have been met with failure, with recent referendums often presented as evidence of irresolvable tensions.

Table 1. Sovereign powers transferred from France to New Caledonia

Sovereign power	1988-98	1999-2021	Sovereign power	1988-98	1999-2021
Administrative law [†]	France	France	Property law ⁽²⁰¹³⁾	France »	NC
Tertiary education [†]	France	France	Commercial law ⁽²⁰¹⁴⁾	France »	NC
Defence*	France	France	Civil safety ⁽²⁰¹⁴⁾	France »	NC
Foreign affairs*	France	Fr. ¹	Urban planning	France »	NC
Currency* ⁽²⁰⁰⁰⁾	France	Fr. ¹	International trade	France »	NC
Law and order*	France	Fr. ¹	Industrial policy	France »	NC
Judiciary*	France	Fr. ¹	Health policy	France »	NC
Immigration, customs	France	Fr. ¹	Phytosanitation	France »	NC
Communications [†]	France	Fr. ¹	Cyber affairs	—	NC
Civil registry ⁽²⁰¹²⁻¹⁴⁾	France	Fr. ¹	Taxation and budget	NC	NC
Attorney-general	France	Fr. ¹	Infrastructure	NC	NC
Civil, electoral law	France	Fr. ¹			
Criminal law	France	Fr. ¹			
Mining and energy	France	Fr. ¹			
Maritime affairs	France	Fr. ^Δ			
Civil aviation	France	Fr. ^Δ			
Youth, sports	France	Fr. ^Δ			
Public service (staffing)	France	Fr. ^Δ			
Public service (finance)	France	Fr. ^Δ			
Secondary education	France ¹	Fr. ²			
Transport	France ¹	Fr. ²			
Environment	France ¹	Fr. ²			
Customary land ⁽²⁰⁰⁰⁾	France »	NC			
Maritime security ⁽²⁰¹¹⁾	France »	NC			
Primary education ⁽²⁰⁰⁰⁻²⁰¹²⁾	France »	NC			
Aviation security ⁽²⁰¹³⁾	France »	NC			

Legend

* Core powers France will only transfer after a 'yes' vote.

† Powers that the FLNKS requested in 2020 (pending).

(YEAR) When a power was transferred in whole or in part.

» Transfer of power completed, either gradually or at once.

1 Country takes a leading role in this policy area.

2 Country supports partner country in this policy area.

Δ Power is shared, with each country leading in their policy area.

Source: Data collated from Cochin et al. 18/9/2020; Government of New Caledonia 2022; ISEE 2016:21.

The three independence referendums of the Nouméa Accord left neither side fully satisfied. At the first referendum on 4 November 2018, the non-independantists won by 56.7 per cent, a narrower margin than expected. At the second referendum on 4 October 2020, the independantists scored an unexpected 3.4 per cent swing in their favour (Fisher 6/10/2020). Finally, at the third Nouméa Accord referendum on 12 December 2021, the independantists successfully called for ‘non-participation’ after failing to convince Paris to postpone the date. They argued that a COVID-19 outbreak unfairly constrained their campaigning due to long Kanak mourning rites. Their opponents argued that they were politicising Kanak custom to avoid losing a third time. A very high level of abstention among pro-independence voters called the result’s legitimacy into question.

With fewer than 5000 votes separating the ‘yes’ and ‘no’ camps in 2020, both sides had failed Tjibaou’s challenge of winning other communities over to their perspective. Even as independantists hope a new referendum could hand them outright victory (Mainguet 13/3/2022), non-independantists still hope to face down calls for independence (Backès et al. 29/4/2022). But New Caledonia’s history suggests that neither approach is likely to succeed. With the blocs unable to decisively alter the status quo and the struggle for power so tight, they are likelier to be stalemated for the foreseeable future.

Contrary to the popular narrative of a New Caledonia always on the brink, its long peace has struck ever-deeper roots since 1988. The good news that rarely makes headlines — and which both camps have an interest in denying — is that the political blocs may be much closer to a new grand bargain than is often thought. Former loyalist leader Harold Martin observed in 2013 that it was ‘obvious’ the space between both camps had been constantly shrinking under the Nouméa Accord (Salama and Marie 2013:46:57–47:13). Independantist Roch Wamytan added that the gap was now ‘cigarette paper’-thin (ibid. 47:13–47:29).

Part 2 of this paper argues that combined legal, political and public opinion pressures make it likely most leaders will join the Nouméa Accord exit talks on New Caledonia’s final status that are mandated to occur by 2024.

Part 2. The case for optimism

The penultimate act of the Nouméa Accord, the holding of its third referendum, left many New Caledonians anxious about the future. For two decades, the Accord has had a pacifying effect on the territory, stabilising its politics and teaching locals to increasingly accept the need to share wealth and power and trust again. The Accord de-escalated politics by reducing existential questions to technocratic ones, as in all mature democracies. What does it mean for locals that this quasi-constitution of theirs is about to vanish?

This burning question will go unanswered for several years. New Caledonian leaders have as their deadline the provincial elections in May 2024 — when the Nouméa Accord ends — to replace the status quo with a new negotiated deal that is likely to be put to a new referendum. Hardened observers may reasonably worry that leaders will fail to achieve this. It was not encouraging that loyalists declared victory after the 2021 referendum, nor that independantists responded with an ominous, months-long silence. But because cementing the status quo could harm both sides’ interests for decades, each bloc now has strong incentives to negotiate a new one.

A major source of pressure on leaders to negotiate is that they are required to do so under the binding last phase of the Nouméa Accord, which compels signatories to finally resolve New Caledonia’s political status (Angleviel 2006:135); there is no more road down which to kick the can. The Nouméa Accord’s genius was that it ensured politicians would not continue deferring history in 2024. Whether by design or accident, ambiguity over the 1998 deal’s expiry added what writers call a ‘clock’: time pressure on the protagonist to act before it is too late. In July 2021, French officials said that even after the Accord lapsed, its ‘open-ended’ legal effects would not end because they had been constitutionalised (Ministère des Outre-mer 2021:48). They said that ‘there will therefore be no rupture or legal vacuum the day after the referendum’ (ibid.).

But, on that very day, a debate broke out over whether the Accord was still in effect or null and void. The independantists argued that it was alive, while loyalists declared its death. It was ‘finished’, loyalist leader Sonia Backès said on election night (Dubedout 13/12/2021). Harold Martin, a signatory, agreed: ‘It’s done!’ (ibid.). French President Macron and Minister for Overseas France Sébastien Lecornu endorsed this interpretation.

Table 2. Results of the three Nouméa Accord referendums

Date	Voters	Turnout	Gap	‘Yes’	‘No’
2018	141,099	81.01%	18,535	43.33%	56.67%
2020	154,918	85.69%	9970	46.74%	53.26%
2021	80,881	43.87%	72,973	3.5%	96.5%

Source: Data collated from Haussariat 2018:1, 2020:1, 2021:1.

Law Professor Léa Havard (3/1/2022) took a different view, one consistent with earlier advice from French officials: that recent statements from French politicians were ‘nebulous’, ‘confused’ and self-contradictory. She argued that institutions would endure by default until a new status quo was negotiated. ‘The Nouméa Accord is not *really* over’, Havard (ibid.) wrote. In fact, it had just entered overtime. While the field would not disappear from under players’ feet, a new game could not start until this one ended. Clever provisions ensured signatories could not side-step the Nouméa Accord’s exit doors.

The drafters had carefully set out two off-ramps. The independentists had three shots at a ‘yes’ vote. Had they won any, independence would have been in the bag. There would not have been much to negotiate besides the modalities of transition and maybe a partnership with France. But even if the ‘no’ camp had won three times, nothing would have been in the bag yet. In that case, Section 5 of the Accord famously says that the ‘political partners will convene to review the situation thus created’ (Accord de Nouméa 1998). So long as this *situation ainsi créée* was not discussed, code for final status talks, the Nouméa Accord was still alive.

Another often overlooked source of pressure to compromise is the rise of third-way moderates. A growing number of Caledonians are tired of the never-ending independence debate that has paralysed the island for decades. The same moderates who accept that, on balance, this conflict made New Caledonia a better place still feel stuck on a horizonless island locked in a cycle of uncertainty, tension and fears.

Public opinion in New Caledonia is elusive but not completely impossible to gauge. No pollsters operated there until 2015. Their first test was the 2018 referendum, which two pollsters predicted would see a thumping 70 per cent ‘no’ victory. The result was a flatter 56.67 per cent. So embarrassing was the 13.4 point gap that loyalists blamed the polls for depressing the turnout (Renaud 1/10/2020). But the real lesson learned was that the polls’ binary question concealed a diversity of views in both the ‘yes’ and ‘no’ camps.

In his post-mortem, one of the pollsters, Stéphane Renaud, rejected the conventional wisdom that the electorate had split sharply into two on the independence issue. Instead, he identified four broad groups of voters by dividing each camp into a hardline

faction and a moderate faction. Renaud’s model suggested that the ‘yes’ swing in 2018 was driven not just by a higher Kanak turnout but also by a defection of moderate ‘no’ voters to the ‘yes’ camp. Renaud’s findings appear to show the first cracks in an ageing façade of bipolar politics.

In 2018, the FLNKS made gains by softening its rhetoric to target non-Kanak voters, apparently successfully, unlike in 2020, when the ‘yes’ camp won a further three per cent swing by adding undecided or formerly loyalist Kanak to its already mostly Kanak base (Pantz 2019a). This ‘ethnicisation’ of the vote worried some French analysts (Urvoas 2018:8). But the same result may also be interpreted as only possible due to the overall reduction in political tensions. The breakdown of party monopolies over ethnic groups, and voters’ freer movement across blocs, is also a sign of freedom.

Some fear that this apparent political fission could spoil the Nouméa Accord exit talks if it gathers momentum. Urvoas (ibid.:6) expressed concern, for example, that as many as 30 independentist politicians were required to negotiate the 2020 nickel mine dispute at any given time. However, the decomposition of polarised blocs that on occasion were prepared to use organised violence to pursue their objectives is not all bad news. The more these civil war-era power structures decay, the more politics normalises. Like rain boring into the hardest rock, public opinion gently erodes old antagonisms, whittling down the power structures of each bloc into ever-smaller pieces.

This effect was visible in a series of vox pop interviews televised on the eve of the 2021 referendum, produced by the state broadcaster *Nouvelle-Calédonie la 1ère* for the evening news. Journalists interviewed 63 people in five non-independentist and eight independentist towns. Some mayors subsequently confirmed that the broad range of views heard was representative of debate in their towns. These interviews, captured in Table 4 and Table 5, highlight the diversity of thinking in each bloc.

It should be noted that the number of people interviewed was relatively small and that relevant information about the interviewees was not consistently available. Nonetheless, the data provides interesting clues as to present-day views in New Caledonia. One conclusion it indicates is that hardliners

Table 3. Renaud’s model of the 2018 vote on independence

43% ‘Yes’		57% ‘No’	
15%	Hardline independentists. Rusted-on voters who want a 1980s-style ethnically Kanak state.	33%	Hardline non-independentists (loyalists). Rusted-on voters who want to remain a part of France.
28% +8 20%	Moderate independentists. Vote ‘yes’ out of cultural loyalty despite fears; could vote ‘no’.	24% -8 32%	Moderate non-independentists. Vote ‘no’ out of security, economic fears; could vote ‘yes’.

Source: Compiled by the author using Renaud 1/10/2020.

Table 4. Views from non-independentist towns (2020 referendum result)

Dumbéa, Southern Province (73% 'no')
Hopes voting day will remain peaceful (Person 1)
Fears being torn between both camps (Person 2)
Hopes 'no' wins; not ready to be independent (Person 3)
Fears violence after vote; hopes for peace (Person 4)
Hopes peace between communities endures (Person 5)
Koumac, Northern Province (61% 'no')
Calls for better youth representation in politics (Person 6)
Worries about what result will mean for youth (Person 7)
Supports one-year Kanak mourning period (Person 8)
Sees third vote as unnecessary since 'no' will win (Person 9)
Fears violence and regrets date was disputed (Person 10)
La Foa, Southern Province (67% 'no')
Worries about economic risks of independence (Person 11)
Says will vote 'no' and that stakes are high (Person 12)
Wants political fighting to end, economic growth (Person 13)
Hopes country stays united beyond referendum (Person 14)
Hopes the country moves forward (Person 15)
Hopes 'there will be no violence' after vote (Person 16)
Hopes all leaders find a way forward (Person 17)
Critiques FLNKS for non-participation (Person 18)
Païta, Southern Province (71% 'no')
Will vote 'no' since COVID-19 shows France is needed (Person 19)
Sees peaceful coexistence as highest priority (Person 20)
Supports 'no' vote; peace is priority (Person 21)
Wants resolution, certainty, no more tensions (Person 22)
Hopes peace between communities will endure (Person 23)
Pouembout, Northern Province (51% 'no')
Hopes to move forward whatever the outcome (Person 24)
Hopes for speedy resolution, end to squabbling (Person 25)
Hopes for an end to uncertainty (Person 26)
Supports postponing vote for Kanak mourning (Person 27)

Sources: See list of interviewees at the end of the paper.

Table 5. Views from independentist towns (2020 referendum result)

Canala, Northern Province (95% 'yes')
Hopes parties work together, set the example (Person 28)
Hopes communities will live in peace (Person 29)
Wants independence, international recognition (Person 30)
Hopes both camps put national interest first (Person 31)
Hopes leaders compromise, respect each other (Person 32)
Hienghène, Northern Province (96% 'yes')
Supports FLNKS; says will follow party line (Person 33)
Hopes referendum can resolve issues quickly (Person 34)
Hopes a bipartisan deal ends conflict for good (Person 35)
Houailou, Northern Province (87% 'yes')
Hopes vote won't divide communities (Person 36)
Questions FLNKS' reason for not participating (Person 37)
Supports FLNKS' reason for not participating (Person 38)
Supports postponing vote due to COVID-19 stress (Person 39)
Hopes leaders will negotiate a new deal (Person 40)
Hopes for a more united country (Person 41)
Koné, Northern Province (66% 'yes')
Supports FLNKS; says will follow party line (Person 42)
Hopes the vote will end economic uncertainty (Person 43)
Hopes politics moves on to new topic 'at last' (Person 44)
Hopes vote 'finally' helps country move on (Person 45)
Lifou, Loyalty Islands Province (86% 'yes')
Hopes for peace, recognition of Kanak culture (Person 46)
Hopes peace endures, conflict is avoided (Person 47)
Supports independence; it shouldn't be feared (Person 48)
Says vote's outcome won't impact their day job (Person 49)
Ponérihouen, Northern Province (89% 'yes')
Hopes for peace; people should be free to vote (Person 50)
Fears independence and hopes it won't happen (Person 51)
Wants to be a Kanak instead of French citizen (Person 52)
Hopes communities will be united in future (Person 53)
Hopes communities live in peace as in the past (Person 54)
Poum, Northern Province (85% 'yes')
Hopes people will get along and 'walk together' (Person 55)
Supports FLNKS and critiques referendum date (Person 56)
Distrusts both camps; they're 'both the same' (Person 57)
Doubts the referendum will change anything (Person 58)
Supports FLNKS and critiques referendum date (Person 59)
Yaté, Southern Province (90% 'yes')
Hopes all communities keep getting along (Person 60)
Hopes a domestic nickel refinery will be built (Person 61)
Says people are free but probably won't vote (Person 62)
Hopes all will get along whatever the result (Person 63)

are a minority in both camps. Only eight likely 'no' voters (13 per cent) and 11 likely 'yes' voters (18 per cent) appeared hardline, while 33 people (54 per cent) prioritised compromise. Some interviewees cared more about peace than whether the island stayed French. Others hoped for any deal to end tensions. These views spill across the divide and support Renaud's thesis that moderates held a 52 per cent majority in 2018.

While reliable research substantiating this hardline/softline split in public opinion is presently lacking, the interview data suggests a potentially fundamental change. Public opinion may be softening on both sides. If dreams of a Kanak state versus a Marseilles in Melanesia still prevail, their monopolies are broken. Young people in New Caledonia appear to be increasingly ready to reject the binary thinking that engaged their parents' lives and may yet constrict theirs. Politicians are wrestling with how to respond to this trend.

Robert Bertram (2012:445) argued that the bipolar structure of New Caledonian politics had become more 'conventional' than 'conflictual' since 1988. This thesis was supported by a range of senior political figures interviewed by Bertram. The loyalist Kanak senator Simon Loueckhote agreed that 'the bipolarisation of independentist and non-independentist parties will be erased' by third-way thinking in future (ibid.:535). Gaël Yanno, a loyalist leader, saw the bipolar structure of politics as stable but also as needing to be overcome (ibid.:544). Éli Poigoune, a prominent pro-independence Kanak, saw the thinking in both camps as 'impoverished' by having been 'cloistered'. He predicted that third-way thinking would grow in years to come because the offerings of the major parties were 'outdated' (ibid.:549).

Such moderate thinking entered the political mainstream under a new banner in 2019. The Wallisian micro-party *Éveil océanien* (Pacific Awakening), which takes a pragmatic 'why not, but not yet' stance on independence, has to some extent established itself as a powerbroker (Pantz 2019b). The party holds a significant three out of 54 seats in the parliament and four out of 40 seats in the Southern Province, which may be a harbinger of change within the hitherto loyalist Wallisian community. This mood for change also seems to be radiating out to the major parties. As Backès observed, both sides of politics are now hearing:

the voices of this rising generation, be it independentist or non-independentist, which are sick of this binary question, which are sick of this opposition we impose on them (RRB 10/12/2021).

Though hardline positions for and against independence still dominate politics, this status quo is being contested from the ground up by moderate voters and from the top down by third-way parties like *Éveil océanien*. While a rigidly bipolar political structure prevails, it has become more formal than all-consuming, as it once was. Even if it endures for decades to come, the old bipolar camp structure is an increasingly hollowed-out, party-political affair consumed by factional infighting, one that many Caledonians see as increasingly remote from their daily needs.

This may explain why each bloc appears to have softened its messaging to appeal to the emerging moderate spirit, which could reshape politics over time. Such social pressure, if it keeps building, could incentivise the parties to reach a new political compromise by 2024. Parts 3 and 4 address what each side wants from the negotiations and the factional dynamics in each camp.

Part 3. What the non-independentists want

Coming together as a team of rivals to negotiate with independentists in the post-referendum talks, the non-independentists will likely be more divided than at any time since 2004, when the RPCR finally collapsed. Almost every one of the kaleidoscopic non-independentist camp's parties is a product of the former RPCR. Even as they bicker over each detail, however, they will all fight to keep New Caledonia French.

This camp's hardliners and moderates are divided by a sharp ideological line. Hardline loyalists, who currently have the numbers, see New Caledonia's ongoing place in the French Republic as non-negotiable. They will defend every part of the status quo that enables this. They also will push back on any talk of Paris devolving so much as one more crumb of sovereignty to Nouméa. Feeling in a position of strength, the loyalists see all three referendums as evidence that they won fair and square. The centrists also want to stay French but are as interested in negotiating a new status quo with the FLNKS where possible. They won't defend the old one tooth and nail.

The perhaps grudgingly accepted but undeniable leader of the loyalist camp is Les Républicains Calédoniens (LRC). That party's head, Sonia Backès, runs the country's wealthiest province, Southern Province. Born in Nouméa in 1976 and a former public servant and trade union official, Backès rose to prominence as 'chief of the loyalist camp' in 2018 (Briault 21/12/2018; *Calédosphère* 22/11/2021). A hardliner, Backès styles herself as 'one of the most right-wing people in New Caledonia' (Minard and A.L.P. 11/1/2022). She is the current gatekeeper of pro-France politics; a deal she does not sign will lack authority. The only formal objective of Backès' party is 'New Caledonia remaining a part of the French Republic' (Les Républicains Calédoniens 2017). While guarding against their attempts to weaken the island's ties to France, Backès will try to extract at least four concessions from the independentists.

Firstly, Backès has signalled that her party will fight to reverse the 2007 freezing of the electoral roll (Le Trionnaire 25/5/2021). The law, viewed as extremely controversial by at least this side of politics, excludes most new arrivals after 1998 from voting in elections for the three provincial assemblies and local parliament (Fisher 2013:101), though not for the French National Assembly, Senate and Presidency or the European Parliament. The intent was to stop short-term migrants from minoritising Kanak people as occurred in the 1970s. Like most loyalists, Backès denounces this measure as discriminatory, unfair and a breach of democratic norms (Moureaux et al. 19/5/2020). The last claim is based on a European Court of Human Rights'

Table 6. Non-exhaustive list of key non-independentist parties and alliances

Party	Background	Influence
Avenir en confiance (AEC) — defunct	Established 2019 from alliance of LRC, MPC, LR and others. Ended in 2022.	Held 33% of seats, the Southern Province and executive in 2019–21.
Calédonie ensemble (CE)	Est. 2008 by Philippe Gomès. Splintered off an RPCR splinter party.	Held 30% of seats and executive between 2014–19, 11% of seats today. 1/2 French MPs.
Le Mouvement populaire calédonien (MPC)	Est. 2013. Led by Gil Brial. Splintered off Le Rassemblement (LR), formerly RPCR. In UL.	Holds 4% of seats and supports the loyalist coalition in parliament.
Le Rassemblement-les Républicains (LR)	Est. 2004. Led by Thierry Santa. RPCR successor. UL member.	Holds 11% of seats, 13% in the Southern Province, 1/2 senators.
Union loyaliste (UL)	Est. 2022. Led by Sonia Backès. CE, MPC, (≠LR), LRC, GNC.	Holds 33% of seats in parliament, 58% in Southern Province.
Les Républicains Calédoniens (LRC)	Est. 2017. Led by Sonia Backès. Splintered off LR and other parties.	Holds 15% of seats, 23% Southern Province, the largest loyalist party.
Rassemblement pour la Calédonie dans la République (RPCR)	Est. 1977 by Jacques Lafleur. Loyalist alliance. Split apart from 2004.	Held 40% of seats in 1979 to independentists' 34%, was largest party.
Généralions NC (GNC)	Est. 2019. Led by Nicolas Metzdorf. CE splinter. UL member.	Holds 1.9% of seats, 5% in Southern Province. 1/2 French MPs.

Source: Data collated from Angleviel 2006 and Les Nouvelles Calédoniennes.

opinion that the measure was only permissible as a stopgap measure (RRB 14/1/2022). Backès has promised her base, and the 35,275 French citizens residing in New Caledonia who cannot vote in a referendum (Roger 9/12/2021), that she will not relent on this issue (RRB 10/12/2021). The loyalists could also seek for all Caledonians to be automatically registered to vote in referendums, a right at present only bestowed on Kanak voters (Mestre and L. 16/10/2020).

Secondly, Backès is almost certain to seek a resolution to a longstanding set of loyalist grievances dating back to the 1988 Matignon Accord, among which is the peace deal's *clé du rééquilibrage*, or rebalancing policy (Fisher 2013:66–67; Garde 12/9/2015). This fixed formula gives the two Kanak independentist-run provinces a proportionally higher number of seats in the territorial parliament than their demographic weight warrants. This policy was an important political concession to end violence. Loyalists argue, however, that after decades of mainly Kanak migration flows to Nouméa, the most populous Southern Province is becoming less and less fairly represented in parliament.

Thirdly, the financial equivalent of the rebalancing policy is the *clé de répartition* (the allocation formula) which sees the heavily taxed and relatively underrepresented loyalist Southern Province subsidise the lightly taxed, overrepresented independentist provinces (LARJE 17/9/2009). This grievance has grown as population flows to the south fuel what loyalists see as perverse outcomes unforeseen by the peace deal's drafters (see Table 7). While appreciated by the independentist-run provinces, this rebalancing

mechanism has failed to bridge divides and instead become a serious irritant. Since at least 2006, the FLNKS has rejected loyalist reform proposals, which have also been coolly dismissed by France's legal advisers (LARJE 17/9/2009, 23/1/2011).

Finally, Backès may push for New Caledonia to be removed from the United Nations' Special Committee on Decolonization list. Australia had a role in putting it there in 1986 (Robertson 2017). LRC's explicit objective was to pursue this goal in case the 'no' prevailed (Nooten and L.C. 16/6/2021). The French prime minister opposed this proposal in a June 2021 meeting, wherein he told loyalists not to raise it until after Nouméa Accord talks (Castex 2/6/2021). However, the United Nations list question remains a live issue, with Backès intent on contesting independentist narratives before United Nations bodies. The FLNKS has long framed the debate in this arena, which the loyalists neglected until recently (RRB 10/12/2021). However, both Paris and the United Nations would be very unlikely to negotiate a removal unless it was explicitly endorsed by the FLNKS.

The second major loyalist party is Le Rassemblement-les Républicains (Rassemblement), the centre-right successor to Lafleur's RPCR. Contracting in almost every election over three decades, its commanding majority of 27/54 seats in 1989 was reduced to 7/54 seats in 2019. But the party of Lafleur, once likened to an octopus for its long reach, still matters. Proud of its role as the peacemaker of 1988, Rassemblement will likely play a constructive role in talks. Its leader, Thierry Santa, broke with Backès when he recently said that the referendum results were

Table 7. Rebalancing policies between New Caledonia’s three provinces

	Southern Province	Northern Province	Islands Province
Population in 1989	113,490 (68%)	35,049 (21%)	18,359 (11%)
Population in 2014	199,983 (74.4%)	50,487 (18.8%)	18,297 (6.8%)
Referendum voters 2021	120,705 (65%)	42,132 (23%)	22,167 (12%)
Growth rate 1989–2014	+86,493 (76%)	+15,438 (44%)	-62 (-0.0033%)
Federal seats	32/54 (59%) -15.4%	15/54 (28%) +9.2%	7/54 (13%) +6.2%
Seat per capita	1 per 6249	1 per 3366	1 per 2613
Share of 51.5% budget	50%	32%	18%
Share of 0.75% budget	40%	40%	20%
Funding by population	45% for 74% -29%	36% for 19% +17%	19% for 7% +12%

Source: Data collated from Angleviel 2006 and Les Nouvelles Calédoniennes.

not the only factor that would count in negotiations (RRB 21/1/2021). Vice-president Virginie Ruffenach (4/11/2021:8) also said that Rassemblement takes a pragmatic stance on the electoral roll matter, which it does not want opened to everyone.

Rassemblement may be less predictable on other issues, as seen in Senator Pierre Frogier’s proposal of strengthening the role of the three provinces. Since this would allow each province to determine its own relationship with France, critics in both camps rejected it for promoting an unspoken partition (Belmont et al. 26/10/2019; DNC 24/10/2019). ‘Provincial differentiation’ aims no higher than deepening the island’s current carve-up by sharpening its existing institutional and cultural divisions (A.L.P. 5/5/2021). As Lafleur’s handpicked successor, Frogier’s thinking on this question still influences the party and, through it, the loyalist faction (Bussereau and Dosière 2017:177). Backès (29/4/2020) has signalled her support for ‘hyper provincialisation’, which could reflect the hard-nosed calculus that mutual coexistence is the only realistic objective.

Minor parties bolster the right flank of the loyalists, most notably Le Mouvement populaire calédonien (MPC), which holds two of the 54 territorial seats. Its leader, Gil Brial, is critical of what he sees as free riding on the Southern Province and agrees with Backès that remaining French is non-negotiable (RRB 28/1/2022). Gaël Yanno, a former MPC leader, previously campaigned for New Caledonia to become part of a French federal state, a model directly inspired by Queensland’s place in the Commonwealth (Frédière 24/7/2016). This would require the French constitution to be rewritten for 0.004 per cent of the French population, an unlikely step for the centralised republic to take.

With only one of the 54 seats, Générations NC is a small but nonetheless potentially influential party, one its leader and now member of the French parliament Nicolas Metzdorf defined as ‘unambiguously’ non-independentist (Goapana 3/7/2019). The party’s

manifesto promotes a ‘French dream’ to rival the ‘Kanak dream’. This would constitute ‘a twenty-first century French New Caledonia’ that citizens support out of deep cultural identification with the Metropole, not only economic self-interest, as is often the case (Générations NC 2021:11). The party also wants to centralise power in the hands of the government (Générations NC 15/12/2021), in opposition to Frogier’s and Backès’ decentralisation push. On the ultimate question, the party will defend the interest of a French New Caledonia (Générations NC 27/10/2021).

Though their views vary, the loyalists are in a position to present more or less clear positions to the FLNKS and the French state. This should be good news. The less factional infighting within delegations, the better. But the bad news is that after winning all three referendums — the latest by what many loyalists interpreted as an unqualified landslide of 96.5 per cent (Haussariat 2021:1) — they will be in no rush to compromise. The loyalists are aggrieved by what they see as their one-sided concessions to the independentists going unreciprocated over the years (a grievance which is reciprocated). While not all-powerful, this faction has the weight to shape the outlines of a deal it wants and veto any it dislikes.

The independentists will obviously push back on these loyalist demands, but pressure to compromise will also come from the more moderate on their own side of the table. At present, this faction is chiefly made up of Philippe Gomès’ Calédonie ensemble (CE), the first among equals of the loyalist camp from 2012–19. Born in Algiers in 1976, Gomès came to New Caledonia as a young man and rose through the ranks of the RPCR during the civil war. At the peak of CE’s power from 2014–19, the party held 16 of the 54 territorial seats, the local presidency, control of the Southern Province, both French national lower house seats and one of the two French Senate seats. After sustaining heavy losses in 2019, CE now holds six of the 54 seats in parliament and seven of the 40 Southern Province seats. But while down, CE is not out politically.

In opposition and in power, Gomès was vocal about seeking a compromise with independentists. In 2017, he unsuccessfully attempted to build a rhetorical bridge between the camps using the language of Caledonian nationalism. Lafleur had also spoken of Caledonians being a nation (*Calédosphère* 30/11/2017), but Gomès' loyalist adversaries said that his use of the Kanak-claimed term 'nationalist' proved his nefarious motives. Backès' party was created partly in reaction to Gomès' rhetoric of Caledonian nationalism. At LRC's 2017 launch, speakers characterised Gomès as a proto-independentist and would-be traitor to French Caledonia (*DNC* 14/12/2017). This line of attack helped fell Gomès in the 2019 elections. Despite announcing his retirement from politics by 2024, Gomès is expected to be an active player in Nouméa Accord negotiations.

Gomès rejects the first three United Nations decolonisation options (independence, becoming an associated state or integrating with France). He instead advocates for the fourth option of 'any other political status freely decided upon' (United Nations General Assembly 1970), describing this as a trade-off in which each side gets only part of what it wants. Independentists would get 'the share of sovereignty they want, but not full sovereignty or a state', he suggests (*RRB* 7/12/2021). Unlike the loyalists, Gomès is open to 'growing this share of sovereignty'. This would give independentists a substantive win in exchange for 'no' voters' core interest of retaining France as a security guarantor (*ibid.*).

CE positions itself in the roving middle of a three-cornered fight, as did the *Fédération pour une nouvelle société calédonienne* (FNSC), a centrist party that, with French government encouragement, tried a similar approach in the 1980s and was squashed by escalating bipolar tensions (Roynette 2008:70). Perhaps to avoid this fate, CE is notable for its dynamic non-alignment. Gomès (13/12/2021), for instance, supported the FLNKS' claim that its non-participation in the 2021 vote had strengthened its negotiating hand. This challenged the loyalist narrative. He also broke with loyalists in the debate about when the Nouméa Accord expires. By arguing that the Accord is in force until 2024, he broke concerted loyalist pressure, giving the FLNKS breathing space (Dubedout 13/12/2021). On the electoral list issue, Gomès is open to a joint position with loyalists but is as likely to tilt to the independentists, with whom he agrees that it cannot be a completely unrestricted 'open bar' (*Nouvelle-calédonie la 1ère* 19/12/2021).

Conversely, in the 2021 campaign, Gomès buttressed the loyalist consensus that FLNKS non-participation was motivated by political rather than health concerns (Blaise 10/11/2021; *RRB* 10/12/2021, 28/1/2022; Ruffenach 4/11/2021). Gomès explained that non-participation was a strategic mistake driven by independentist hardliners (Gallien-Lamarche 31/1/2022; *RRB* 7/12/2021). CE will ultimately side with loyalists on their shared interest of remaining French. This is evident from its publicly floated proposal that, as only one element of a grand bargain, the independentists could agree to temporarily shelve their right to self-

determination. Rather than putting independence to a vote every 10 years, paralysing society each time, the proposed deal would last longer, reminiscent of Lafleur's 50-year deal idea (*Frédière* 13/1/2010). CE's proposal would require four-fifths of parliament to trigger a referendum. In exchange, the loyalists would consent to France shedding more sovereignty to New Caledonia (*Océane FM* 7/12/21).

To contribute effectively to the negotiations, CE will require a degree of buy-in from the same loyalists who destroyed its hold on power. Crossing the rickety bridge between blocs to make peace deals is only rewarding if it works. But herein lies the dilemma: the centre is where parties go to die in New Caledonia. The distrust between the non-independentist factions could be strong enough to kill even a good deal for them. In the past, Gomès claimed that his loyalist adversaries were negotiating an associated state deal behind voters' backs (*Frédière* 9/12/2011, 5/6/2012, 5/7/2013; *Frédière and Mainguet* 14/4/2015). Years later, this same line was deployed against him to devastating effect.

For loyalists, even the accusation of secret peace talks is electoral poison. For this reason, many a negotiator might be tempted to use the cover of negotiations to gather intelligence on their enemies, the better to wedge them in future. This dynamic, which limits the concessions non-independentist leaders can safely make, is also at work in independentist ranks.

Part 4: What the independentists want

Just as the peace years frustrated loyalist hopes of staying as enmeshed with France as in the 1950s, they also degraded the maximalist dream of an ethno-nationalist Kanaky. As the pressure of conflict dropped, hardline thinking was sidelined in both camps. In the 'no' camp, the loyalists reluctantly accepted the lowering of their ambition to that of only having Paris finance and control the currency, courts, policing, defence and diplomacy. In the 'yes' camp, the vision of full sovereignty and separation from France was slowly whittled down to one promoting a new type of relationship with France.

These parallel internal processes have brought each side closer to the other than ever before. It can be difficult to spot this gradual movement towards the centre because each bloc has an interest in maintaining the illusions of stasis and conflict. To measure how far the independentists have travelled, we must know where they began. At the risk of oversimplifying a very complex picture, this analysis focuses on the independentist establishment parties of the FLNKS, rather than the minor parties, on the grounds that they are more likely to be the key and decisive negotiators in 2024.

If the loyalist vilification of French official Edgard Pisani — whose independence-association plan was analysed in Part 1 — is folkloric, it is less well-known that his plan also long haunted the independentists. When the law of political entropy hit the FLNKS as hard as the RPCR in the 1990s, factional competition intensified over the definition of independence. Two ideas fought for the independentist soul. The

first was *pleine souveraineté* (full sovereignty won in a referendum), the alternative an *État associé* (a sovereign state in free association with France). If the former reheated the original FLNKS plan, the latter was a deboned Pisani plan. While the FLNKS was officially still committed to full sovereignty in 2021, it implicitly pursued free association, which underwent an extraordinary reversal of fortunes.

In 2004, the year the RPCR imploded, the FLNKS also became riven with tensions that have routinely embroiled its largest parties, the UC and Palika, ever since. UC is the bloc's leader with 9/54 seats, which swell to 15/54 when its parliamentary allies are added. Its power base extends to all provinces, but it only governs the Loyalty Islands. The hardline UC is more legalistic, nationalistic, Christian and tied in with customary authorities and supports full sovereignty. With 11/54 seats, le Parti de libération kanak (Palika) is the second largest independentist party and has run the Northern Province continuously since 1999. The initially Marxist party was once the most radical FLNKS member, of which the *casse-tête* club (literally 'head-breaker') and rifle on its flag serve as reminders. Now Palika is better known for producing moderate economists who carry the standard of an independent state in partnership with France, which resembles the older UC concept of an associated state (Angleviel 2006:243).

This was not always the case. The UC was traditionally a voice of moderation, not only under Tjibaou but also after his assassination in 1989. In 1993, the UC downgraded its goal, and thereby that of the FLNKS, from full sovereignty to a 'negotiated independence' without a referendum (Angleviel 2006:22, 264). Under the leadership of the current speaker of parliament Roch Wamytan, the UC lobbied for an associated state in both 1995 and 1998 talks (ibid.). In 1999, Wamytan (2006:237) said, 'For me, the best formula [for] the future is an associated state'. The moderates who controlled the UC, and thus the FLNKS, had effected a significant policy revolution by rehabilitating the Pisani plan in just 10 years.

The UC repudiated this policy in 2000 when a hardline faction took power, purged the moderates and rewrote the party line. But despite the schism tearing the party apart at the time, the idea of an associated state refused to die. In 2006, the UC's new hardline leader Pascal Naouna conceded that, 'even if others didn't dare or want to say it', independentist thinking was 'evolving little by little towards a French associated state' (*Les Nouvelles Calédoniennes* 9/11/2006). But support for an associated state proved to be as toxic for independentists as it was for loyalists. To ward off an electoral threat from Palika, the UC dropped its support for an associated state and retrenched to a hardline posture, which helped it consolidate its hold over the FLNKS in 2009. Ever since, the FLNKS has given rote endorsements to the UC-vetted option of full sovereignty at all of its annual meetings.

In a complete polar shift, Palika became the party of 'independence in partnership with France' (Mainguet 13/11/2017). This was basically a variant

of the UC's associated state, itself modelled on the Pisani plan. Palika first campaigned for an associated state in 2013 (Mainguet 14/11/2016, 28/11/2016, 13/11/2017). Some independentists claimed that French presidents had offered assurances Paris would support an independent New Caledonian state (Mainguet 21/9/2018). But, while it prioritises France, Palika is open to New Caledonia being associated to other 'countries in the region' (Mainguet 7/11/2019). Likely influenced by Palika, the FLNKS (2018:15) has campaigned on forging defence ties with 'France and countries in the Pacific'. Australia, Fiji and Papua New Guinea were reportedly on the shortlist (Wéry 9/12/2019).

Under Daniel Goa's leadership, the UC blocked Palika's associated state proposal from becoming the formal FLNKS objective (Mainguet 15/12/2017). This status quo was reconfirmed at its 2019, 2020 and 2021 conferences (Poisson et al. 29/6/2021). Like Tjibaou in 1985, the UC has rejected Palika's proposal on the basis that an associated state deal could entrench a neo-colonial relationship with France (*Les Nouvelles Calédoniennes* 8/12/2019). But each party overstates their differences for factional reasons. While the UC wants a 'yes' vote to get a better deal from France, Palika wants a French partnership to get a better 'yes' vote (Poisson et al. 29/6/2021). Their dispute is over tactics, not policy.

After two unsuccessful referendums, the UC took a softer line in mid-2021. With the two parties then locked in a feud over who would control the presidency and Palika refusing to attend the meeting, the UC took the unusual step of meeting French officials alone from 25 May to 5 June. On the eve of this trip, a senior UC official clarified that what the party meant by 'full sovereignty' was the negotiation of 'new relations with the French state' (DNC 13/5/2021). While in Paris, Goa delivered a Palika-sounding speech calling for a 'convention of interdependencies', a treaty with each state having a right of withdrawal (Faatau 28/5/2021). Like Pisani, Goa proposed using Article 88 to tie a sovereign New Caledonia to France. Behind the legalese, the UC was expressing renewed support for something like an associated state.

Independentist sources claim the Macron administration raised their expectations that an associated state deal was on the table (Castex 3/6/2021). This reading may have been based on the confidential French report *The Consequences of 'Yes' and 'No' Votes*, which was published after leaking from the independentist camp (Ministère des Outre-mer 2021). Some read the line that an independent New Caledonia could 'strike an association or partnership agreement with another State, including France' as a signal of French intent (*Capital* 25/5/2021; Ministère des Outre-mer 2021:6). The UC acted as if France held this view.

Responding to this perceived signal, Goa's speech offered France the role of New Caledonia's primary security partner 'if it so wished' (Castex 3/6/2021). This was a major development. The UC had offered Paris the right to host a French military base in an independent New Caledonia in private talks in 2020, but its tone

Table 8. Non-exhaustive list of key independentist parties and alliances

Party	Background	Influence
Front de Libération nationale Kanak et socialiste (FLNKS)	Established 1984 by Tjibaou. Led by Daniel Goa. UC, Palika, RDO, UPM.	Holds 43% of seats and a majority with allies. Runs 2/3 of provinces.
Union calédonienne (UC)	Established 1953 by churches. Led by Daniel Goa. Hardline. RDO ally.	Holds 20% of seats in parliament. Runs Loyalty Islands Province.
Union progressiste en Mélanésie (UPM)	Established 1974. Led by Victor Tutugoro. Moderate party allied to Palika.	Holds 1.9% of seats. Supports Palika in Northern Province.
Parti de libération kanak (Palika)	Established 1975. Led by Charles Washétine. Softer line. UPM ally.	Holds 19% of seats. Runs Northern Province. Current presidency.
Rassemblement démocratique océanien (RDO)	Established 1994. Led by Aloïsiso Sako. Wallisian, independentist. UC ally.	Holds 1.9% of seats. Supports UC in Southern Province.

Source: Data collated from Angleviel 2006 and Les Nouvelles Calédoniennes.

had been stringent, demanding an irreversible ‘treaty of withdrawal’ that ‘reformatted the French system’ (*Calédosphère* 2/9/2020). In 2021, the UC was uncharacteristically warm towards France. Gilbert Tyuiénon, the FLNKS campaign director, told the ‘yes’ camp that they ‘won’t be ditched by France’ (Goapana and Tromeur 23/8/2021). The party of full sovereignty was advocating for a French presence.

But after failing to persuade France to postpone the 2021 vote due to COVID-19 concerns, the UC bitterly critiqued Paris for disrespecting Kanak mourning rites. While its outward-facing campaign led with this, the FLNKS locally cited political reasons for its non-participation. Independentist leaders gave a particularly strong impression that they felt rejected by Paris over associated state talks. This frustration was palpable in their ‘Letter from the Kanak People’ (FLNKS et al. 23/11/2021). Pushing back on French warnings about China, the letter blamed *France* for Beijing’s influence in Vanuatu. If France had played its cards better, ‘it could have supplanted China in Vanuatu by now, with a real embassy and solid partnership agreements’ (ibid.). The messaging was very similar to Goa’s Paris speech.

Palika was furious at France and linked its refusal to postpone the vote, which the FLNKS had requested, with the associated state question. Palika’s Charles Washétine reframed the *Oui/Non* report, which had been presented to ‘yes’ voters as signalling French support, as undermining the goal of ‘independence–association’ (*Nouvelle-calédonie la 1ère* 17/11/2021). Paris was accused of derailing this goal by framing New Caledonian sovereignty as inevitably ‘disastrous’ (*Le Monde* 28/2/2021). This proved, Washétine argued, that France was not serious about an associated state. Though not the whole story, this part of the FLNKS’ 2021 non-participation strategy has not yet been told.

Paris rebuffed the independentists on the grounds of its well-known view that, while it was not opposed to a ‘privileged partnership’, only sovereign states could negotiate one (Ministère des Outre-mer 2021:5).

The French legal concept of an *État associé* is a weak synonym for ‘associated state’ since only states can associate with France (Al Wardi 2018:314). Paris would have grasped the implications of changing course. An associated state would have shielded the FLNKS from voters’ longstanding concerns that it had no workable plan to fill an AU\$1.7 billion (18 per cent of the gross domestic product) funding gap if France left.

Loyalists will undoubtedly resist Palika’s call to put independence–partnership to a vote before negotiations. They fear this could erode their narrow lead because the term sounds like a safe midpoint between France and independence (McDonald 23/12/2021). But an associated state begins life fully sovereign, because if it were not free to make and break treaties, it would hardly be a state. The negotiators have unhelpfully asymmetric incentive structures on this critical point. While 72 per cent of independentists would support being a French associated state, only 29 per cent of ‘no’ voters would (*Calédonia* 8/6/2021). This option remains toxic for loyalists, a legacy of the Pisani plan.

There are signs that the fragile FLNKS consensus for an associated state, which ultimately depends on the UC, survived the 2021 referendum. Key positions are still currently filled by moderates who support an associated state. New Caledonia’s President Louis Mapou (Palika) pragmatically agreed with Paris that the independentists needed to win a referendum for this idea to become viable (*Calédonia* 8/6/2021). The speaker of parliament Roch Wamytan (UC) also continues to support an associated state (*Nouvelle-calédonie la 1ère* 11/10/2020). During Nouméa Accord talks in 1997, Wamytan treated ‘full sovereignty’ as a bargaining chip. His objective as UC leader was to secure ‘the outline of a state in association with France’ (Salama 2013:40:56).

Paradoxically, this objective is also likely the bottom line of current UC leader Daniel Goa, whose confrontational rhetoric is controversial in the ‘no’ camp. Since 2014, he has regularly threatened to

only negotiate with France if the ‘yes’ camp lost (Goa 27/9/2014). In 2017, he said that he would not accept a vote his side lost and would dismiss the majority ‘no’ camp as French stooges. For Goa, this policy would mean that Caledonian citizenship had dissolved. In its place, Kanak and French people would face off in ‘deadly’ opposition (Chauchat 2021:9). Goa has called Paris a ‘Putinist power’ whose yoke the Kanak would cast off by force, comparing his people to the Ukrainians resisting Russian aggression (Mainguet 13/3/2022). He later said that France’s actions in New Caledonia were like ‘Nazi Germany in 1940’ (Mainguet 3/4/2022). Goa’s tough talk to his base, which many loyalists fear legitimises violence, does not necessarily mean he will spoil negotiations.

Even Goa’s UC reportedly sees the New Zealand associated state Cook Islands as its end game in negotiations, likely seeking an added United Nations seat, which Cook Islands currently lacks (*Le Monde* 12/1/1989; McDonald 23/12/2021). The pitch Goa made to the French prime minister on 26 May 2021 was for an associated state in all but ‘form’, as Chauchat (2021:4) wrote. The UC recently said that it would not campaign in the 2024 referendum, which Paris has scheduled to seek public endorsement of whatever deal comes out of the final status talks. The UC wants a fourth referendum on independence instead, while Palika wants a vote on an associated state (Mainguet 13/3/2022). The Nouméa Accord provides for neither.

These UC and Palika statements should be read in the context of the 2022 presidential and legislative campaigns during which they were made. The independentist camp’s considered views on negotiations are unlikely to be known until closer to 2024. But the fact remains that not since 2001 has the FLNKS been so united around the moderate option of an associated state. This is a positive sign, because a version of this deal can only realistically be secured by negotiation under current conditions. To secure what they want, the independentists will need to come to the table by 2024.

Policy implications

Even if a third New Caledonian grand bargain is possible in theory, there is no guarantee that either side can deliver even the smallest concession the other demands – nor, if they get that far, that they will necessarily accept the other’s final offer, which is guaranteed to fall short of their expectations. Talks could cave in at every step due to factional tensions in each camp. Even after a deal is signed, the radicalisation of political losers raises the spectre of violence. Further, as in 1988, a majority of voters will need to support the deal in a new referendum. This is a tall order.

But the pressure on both camps to compromise suggests they are unlikely to be deterred by such risks. Leaders do not eschew a course of action because a matrix says it is too risky. Tjibaou signed the 1988 peace deal knowing he risked being killed. This took heroism. Those who negotiated the Nouméa Accord only nine years after Tjibaou’s assassination are

heroes. Many of them will negotiate the next deal. But the reason New Caledonia is most likely headed for a political order as durable, stable and enlightened as the Nouméa Accord’s is that it is in the overriding interest of both sides to get to ‘oui’ (‘yes’).

For the non-independentists, the absence of a deal poses an existential threat. With their once-dominant ‘no’ vote degraded to a swing of 5000 voters, they need to come to terms soon. Between 2014 and 2019, 27,600 people left New Caledonia (Rivoilan 2019b). This is proportionally equal to 10 per cent of Australia, a city the size of Brisbane, disappearing. Economic stagnation and political tensions drove this dramatic brain drain. While those leaving, mainly to metropolitan France, were mostly disenfranchised French expats, locals also slashed the ‘no’ vote as they bought one-way tickets. Loyalists need a deal before sinking below 50 per cent. They are on 53.3 per cent.

The strong Kanak population growth rate and restrictive electoral roll often encouraged the independentists to play for time. Their record 46.7 per cent ‘yes’ vote in 2020 proved the success of this tactic, though still did not achieve the strategic objective of independence. The FLNKS wants more referendums to win; it is unlikely to get them before a deal. The independentists need to negotiate because the Nouméa Accord’s expiry could become nightmarish for them too. Goa fears that reforming the electoral roll by adding 51,000 mostly European loyalists would drown the Kanak independentist vote (Mainguet 12/3/2022). This valid concern can be resolved in a new deal.

Do not be surprised if when both sides meet, flanked by French officials, they agree on wanting France to stay. They are far apart on what kind of France they want, but eerily close on how much of it they want. The loyalists want French police officers, judges, soldiers, officials, funding and passports to remain as they are. They like this France-as-guarantor. Many would gladly take more power from Paris if it didn’t dilute French sovereignty – and if France still paid for it. The independentists also want France but more as partner than guarantor. They want the same support with less French control. The real dispute is no longer over the quantity of French sovereignty but its quality.

As in the past, a new deal could find a creative way to square this circle. In one scenario, the balance of power tested by recent referendums sees the loyalists impose their will of a French New Caledonia. But even if they extract the concession that Nouméa will not gain one iota more sovereignty, the independentists still have options. They could neutralise this pressure with credible threats, including of a mass walkout from political institutions. With a strong ground game, they could extract face-saving concessions: a shorter expiry date, a new referendum, no changes to the electoral roll. Even in this worst case, strong tactics can keep independentist voters’ faith alive that a ‘yes’ vote is 10 or 20 years away.

But the balance could shift. After the independentists’ psychological wins at the first two referendums, even a one per cent swing could

reframe talks around a French associated state. While catastrophic for them on paper, the loyalists are also capable of organising rallies to extract far-reaching concessions: reforming the electoral roll, political representation, funding rules that depress the 'no' camp's real weight. To consent, they would likely need security guarantees from France and militarily capable Pacific neighbours to offset the risk of instability. In exchange for sacrificing Kanak political dominance in the short term, the FLNKS could win independence at the negotiating table years before it could win a 'yes' vote.

Should talks fail, New Caledonia risks hurtling down a new rollercoaster of referendums on-demand. This could revive the centrifugal forces that polarised society, breathing new life into a sclerotic bipolar system. Economic pain and prolonged social tensions could see more mostly 'no' voters flee with their skills and capital, with many permanent residents and dual nationals immigrating to Australia. Only extremists in both camps would benefit from a slow security and economic decline of New Caledonia, be it French or independent. All political parties analysed in this paper, not only moderates, have a shared interest in negotiating a new deal that averts this outcome, from which they all stand to lose.

Even in the worst scenario, then, the end is not nigh for New Caledonia, one of whose islands a Japanese novelist called 'closest to heaven' (Morimura 1969). In its violent nineteenth and twentieth century history, the island has often been a purgatory, covered in both the 'light and shade' described in the Nouméa Accord's preamble (Accord de Nouméa 1998). New Caledonians have never been closer to being the promised island, and they will not give it up.

Ahead of the 2021 referendum, a Kanak elder from Canala (Person 32) implored the leaders of both camps for peace: Stop disrespecting each other, put the country first, because if you don't negotiate, the sun might refuse to rise on Monday (ibid.). 'We live in paradise here. We need to keep paradise,' he concluded (ibid.). He did not speak for a political bloc worth 46.7 or 53.3 per cent of voters. He spoke for a growing, unsilent majority that yearns to vote 'oui' for this very dream in 2024.

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Endnote

1. While the New Caledonian government can sign trade or other technical deals outside the Pacific, under Part 3.2 of the Nouméa Accord, its control of quasi-diplomats (*délégués*) within French embassies is solely limited to the Pacific, which comes under the *intégration régionale* (regional integration) policy and is administratively housed in the New Caledonian government's Service de la Coopération régionale et des relations extérieures, a proto-foreign ministry.

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List of interviewees

Interviews in Dumbéa. Nouvelle-calédonie la 1ère (L.

Aubry, C. Michaut, A. Lefeuvre) 23/11/2021.

- Person 1. 0:32–0:51min.
- Person 2. 0:52–1:14min.
- Person 3. 1:14–1:35min.
- Person 4. 1:35–2:02min.
- Person 5. 2:03–2:15min.

Interviews in Koumac. Nouvelle-calédonie la 1ère (C.

Mosnier, B. Bachon, A. Lefeuvre) 30/11/2021.

- Person 6. 0:50–1:02min.
- Person 7. 1:02–1:04min.
- Person 8. 1:05–1:18min.
- Person 9. 1:18–1:28min.
- Person 10. 1:28–1:46min.

Interviews in La Foa. Nouvelle-calédonie la 1ère (A. Le

Teneur) 16/11/2021.

- Person 11. 0:50–1:18min.
- Person 12. 1:18–1:30min.
- Person 13. 1:30–1:40min.
- Person 14. 1:41–1:58min.
- Person 15. 1:58–2:04min.
- Person 16. 2:04–2:14min.
- Person 17. 2:14–2:29min.
- Person 18. 2:30–3:21min.

Interviews in Païta. Nouvelle-calédonie la 1ère (L. Aubry,

C. Michaut, A. Lefeuvre) 2/12/2021.

- Person 19. 0:41–1:00min.
- Person 20. 1:00–1:12min.
- Person 21. 1:12–1:22min.
- Person 22. 1:22–1:49min.
- Person 23. 1:49–2:23min.

Interviews in Pouembout. Nouvelle-calédonie la 1ère (C.

Mosnier, A. Lefeuvre) 8/12/2021.

- Person 24. 0:48–1:06min.
- Person 25. 1:06–1:15min.
- Person 26. 1:15–1:34min.
- Person 27. 1:35–2:02min.

Interviews in Canala. Nouvelle-calédonie la 1ère (C.

Mosnier, B. Bachon, A. Lefeuvre) 9/12/2021.

- Person 28. 1:12–1:30min.
- Person 29. 1:30–1:51min.
- Person 30. 1:51–2:13min.
- Person 31. 2:13–2:26min.
- Person 32. 2:26–3:02min.

Interviews in Hienghène. Nouvelle-calédonie la 1ère (B.

Bachon, A. Lefeuvre) 19/11/2021.

- Person 33. 2:00–2:04min.
- Person 34. 2:04–2:28min.
- Person 35. 2:28–2:25min.

Interviews in Houaïlou. Nouvelle-calédonie la 1ère (B.

Bachon, A. Lefeuvre) 25/11/2021.

- Person 36. 1:00–1:13min.
- Person 37. 1:13–1:34min.
- Person 38. 1:34–1:50min.
- Person 39. 1:50–2:07min.
- Person 40. 2:07–2:23min.
- Person 41. 2:23–2:32min.

Interviews in Koné. Nouvelle-calédonie la 1ère (C.

Mosnier) 17/11/2021.

- Person 42. 0:48–1:02min.
- Person 43. 1:02–1:15min.
- Person 44. 1:15–1:37min.
- Person 45. 1:37–1:45min.

Interviews in Lifou. Nouvelle-calédonie la 1ère (P.

Kuntzmann, A. Lefeuvre) 7/12/2021.

- Person 46. 0:50–1:06min.
- Person 47. 1:06–1:24min.
- Person 48. 1:24–1:43min.
- Person 49. 1:44–2:43min.

Interviews in Ponérihouen. Nouvelle-calédonie la 1ère

3/12/2021.

- Person 50. 1:03–1:20min.
- Person 51. 1:20–1:30min.
- Person 52. 1:30–1:44min.
- Person 53. 1:44–1:51min.
- Person 54. 1:51–2:03min.

Interviews in Poum. Nouvelle-calédonie la 1ère (C.

Mosnier, B. Bachon, A. Lefeuvre) 23/11/2021.

- Person 55. 0:48–0:53min.
- Person 56. 0:54–1:24min.
- Person 57. 1:24–1:47min.
- Person 58. 1:47–1:58min.
- Person 59. 1:58–2:16min.

Interviews in Yaté. Nouvelle-calédonie la 1ère (B. Whaap,

G. Detcheverry, A. Lefeuvre) 1/12/2021.

- Person 60. 1:08–1:24min.
- Person 61. 1:24–1:46min.
- Person 62. 1:47–1:55min.
- Person 63. 1:56–2:02min.

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