

CASE NOTES FROM FRENCH POLYNESIA

French Polynesia attracts a great deal of international attention for a variety of reasons. One of these is its constitutional status and its politically active community. These case notes and comments provide a timely comment on matters of self-determination, internal self-government, and decentralisation in states and territories in the Pacific. The territorial constitution of French Polynesia is presently found in the organic law of the French Parliament of 6 September 1984. That document allows a high degree of internal self-government to the territorial authorities and could in the view of some lead French Polynesia to a future constitutionally and internationally not dissimilar from that of the Cook Islands. The cases noted here are three more pieces of legal jousting in the highly politicised constitutional arena of French Polynesia as it looks to its long-term future. A particular interest of the cases is their relationship to democracy — what is the role of the electorate in constitutional matters? The resignation case concerns the administrative proceedings generated by one of the more unusual recent political events and the legal principle involved. In French Polynesia the case was about political power. On a wider stage the case concerns the right of a Legislative Assembly to control its own proceedings and the operations of the rules of natural justice in that context. The Archipelagoes case shows the local reception of an attempt at decentralisation by the State in a decade receptive to the participation in government of people at the local level. Comparisons may be made with the House of Arikis of the Cook Islands, the Council of Chiefs in Fiji, and extensive provision for referenda in the constitution of Niue.