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The ‘Conseil municipal’ (local council) of Ouvéa (New Caledonia): The Emergence of an autonomous political arena

Introduction

The sessions of Ouvéa local council really catch the ethnographer’s eyes by their gap with the local daily life on the island. On the one hand, these sessions look like any ordinary local Council sessions, just like the ones that could be observed in metropolitan France. But on the other hand, they also appear with various peculiarities, which do characterize Ouvéa social and cultural context.

In this what M. Abélès would refer to as a « *political spot* » (Abélès, 1997: 13), the local Council, sit some men who have customary responsibilities and prestigious statuses, but also some women, who, by definition, have no such responsibilities. We can also see other men, who don’t belong to the first category of prestigious and rather powerful men. This very recent and peculiar configuration of the local council, as well as the political practices that one can observe during these meetings, question the relationships between “Custom” and the French “republican institutions”.

Just like anywhere in the world, the political power organisation observed and experienced during the local council sessions don’t go without saying. On the contrary, it exhibits at the same time hybrid characteristics from an institutional and republican political world as well as from the so called political customary world.

This presentation wishes to explore that aspect of hybridity with a case study, based on observations of the local council sessions held between 2007 and 2010. In order to contextualise this analysis, I will first summarize how Kanak people did progressively integrate Caledonian ‘municipalities’ (local councils) since 1946 and the end of the system of the *indigénat* (“native regulations”).

12.1 From ‘indigenous’ to member of the ‘ local council’ (*conseiller municipal*)

12.1.1 Citizenship and republican elections

Since the arrival of France in New Caledonia in 1853, Kanak people, « the natives » and European people were treated differently. However, these differences were only formalized in 1887, with the creation of a system of administrative law codified as the *indigénat* (“native regulations”, which made distinction between citizen and non-citizen natives.

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Just like in Algeria of Cochin China where this regime was also current, Caledonian ‘native non-citizen’, in other words Kanak people, were subjected to French sovereignty but could not vote. This discriminatory political system also had a criminal equivalent as well as a civil jurisdiction, which made a distinction between citizens to ‘natives’ who remained subdued to their own habits and customs. « Citizen » and « native non-citizen » were therefore differentiated by a triple discrimination affecting political rights, criminal law and civil law. However, the official definition of the ‘native’ (*Indigène*) only appeared in 1915.

In 1946, while the civil distinction remains, the other two distinctions, political and criminal are removed (Merle, 2004). It is at this very moment, 1946, with the abolition of the indigénat (‘native regulations’), that Kanak people started to be considered as « *Natives from New Caledonia* » and were therefore able to participate to elections for the very first time.

I must specify that at this time, the electorate only counted 10% of all the Kanak people old enough to vote. In 1951 this figure increased up to 60%, before reaching the 100% in 1956 (Kurtovitch, 1998). Let’s add that the 1956s elections stated a large participation of Kanak people (Soriano, 2000a : 243). However, this participation wasn’t always going without saying even for Kanak leaders themselves. E. Soriano, who has done in-depth analysis of this phenomena, writes that missionaries schools, because of their hold over Kanak population, are the structures that controlled this process (Soriano, 2000b : 88).

E. Soriano insists on the missions’ influence over the Kanaks electoral mobilization because he considers that « *it is on the one hand, what made people vote massively, and on the other hand, what made people vote upon its elite’s recommendations* » (Soriano, 2000a: 251). It is in fact the fear of a rising local communist movement that urged both the catholic and Protestant Churches to take care of Kanak people’s entering in politics. The UICALO and the AICLF¹, two missionaries inspired para-politics organizations (Kurtovitch, 1999), are the most emblematic of them.

As E. Wittersheim also wrote, “*in New Caledonia, churches are what encourage and set up the native’s participation in politics*” (Wittersheim, 2003: 64). Besides, B. Trépied stresses the “*social control practiced by collective structures (chiefdoms, churches, clans)*” and insists on the role of Churches in controlling “the melanesian’s vote” (Trépied, 2007: 59; 69).

¹ UICALO : Union des Indigènes Calédoniens Amis de la Liberté dans l’Ordre. AICLF : Association des Indigènes Calédoniens et Loyaltiens Français.

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My researches have not allowed me to do such an analysis about Ouvéa, however, I can only insist myself on how close political and religious local networks are to each other and on the fact that they are embedded to one another. I would then like to stress that in New Caledonia, Christian churches have always played a big part in the daily life, just like they do in the republican political life of the territory.

During the 50's-60's, as said before, Missions encouraged Kanak people to participate in Republican elections, which will generate a form of « great respect for democratic institutions » (Wittersheim, 2006: 101). From these years on, Kanak people progressively became involved in all the republican institutions, in an institutional logic they gave up in the 70's when they radically protested against the whole colonial situation.

As of the Matignon Agreement were signed in 1988, « *once and for all, melanesian leaders become involved in the republican system* » (Soriano, 2000b:91-92), but this time in a different perspective, since they were aiming for “*decolonisation within the Republic*” (Tjibaou in Wittersheim, 2003: 19).

12.1.2 The municipality of Ouvea

In New Caledonia, the very first municipal commissions were created in 1879 on the main Land and only French citizens could take part in them. In 1953, these municipal commissions opened up to Kanaks of the Main Land and at the same time, regional commissions (the equivalent of the municipal commissions I just mentioned but with a different name) were created in the Loyalty Islands (amongst which Ouvéa).

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However, the very first elections only took place a year after, in 1854. In 1861, both municipal and regional commissions became “municipalities”. As off 1969, with the *January the third 69-5 law*, 32 of the 33 current councils of New Caledonia, amongst which Ouvéa, were given a new administrative and legal statute, evolving towards the status of “*full exercise commune*” which they still are in 2014. Very briefly, a “*full exercise commune*” is a civil territory in which French common law is applicable (Trépied, 2007)².

Since 1990,³ the financial and administrative guardianship over « *communes* » has been suppressed for New Caledonia « *Communes* ». They now have the same rights as metropolitan *communes*, except regarding the laws regarding economical development, territory planning and building and that they have an autonomy for public finances which fall under the competence of the « Provinces ».

New Caledonian *communes* (just like metropolitan ones) are a moral personality under public law with its own budget. The *local Council* consequently has a considerable decision-making power. In spite of this, we must not forget that since 1999⁴, all of the New Caledonian *communes* fall under the authority of one of the three local *Provinces*, the *Loyalty Island Province* for Ouvéa, which budgets are very significant⁵. That is how some very important decisions related to Ouvéa are taken in the neighbour island of Lifou, administrative centre of the province. Just like in metropolitan France, as a *republican territorial collectivity*, all the *communes* of New Caledonia do freely administrate themselves with a elected board: the *Conseil Municipal* (local council).

Once elected by the population, within itself, the board elects a mayor and his or her deputies. As a government official, the mayor can sometimes have specific roles, regarding the management of the registry office and military matters in particular.

The commune of Ouvéa counts 3392 inhabitants⁶, most of which are Kanaks. Unlike what happened in Koné on the Main Land where challenging and disputing colonial relationships progressively lead Kanaks to political power (Trépied, 2007 : 60), since its very first team's

² The *commune* of Nouméa was created 1879, march, 8th.

³ Law N°90-1247, 1990, December 29th.

⁴ 19th March 1999 law.

⁵ The commune of Poya is however an exception to the rule as its territory is spread over both the Northern and the Southern Provinces (since 1989).

⁶ ISEE 2009.

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mandate in 1954, the local Council of Ouvéa has only ever been ran by kanak teams, affiliated to the pro-independence UC party for most of them.

It is nonetheless hard to be more specific regarding these political party affiliations since the local records on this topic are very rare. Firstly, the local council building was burnt down during the “events of Ouvéa”, (understand there the paroxysmal episode of the biggest social and political crisis New Caledonia has ever faced) and the records stored since the 50’s were hence entirely destroyed. Secondly, the *local council* of Ouvéa has been working in a new building since 2009 and moving from the old building to the new one has obviously had some consequences regarding the storage of around 10 boxes containing the registers of births, marriages and deaths, elections results amongst other things.

Consequently, besides oral memory, the only official written documents available today in Ouvéa are the municipal registers, written during the local Council sessions since the 21st of February 1987. These registers, in which blank pages are a regular content, only mention UC mandates (pro-independence party), apart from the 2004 to 2008 mandate that was a mandate held by the PALIKA (another pro-independence political party).

I would just like to point out that if the interviews and the observations conducted in various situations (meetings, deputies’ office, information desk, election campaign...) are the heart of the ethnographic material, these analyses are backfilled with a certain amount of official documents, as well as posters, electoral lists, election results and many files from the 97W serie of the archives of Nouméa, amongst which correspondence between the local police to both local and metropolitan administrations, as well as letters sent by missionaries. All these documents however don’t provide us with much information regarding the socio historical trajectory of elected members of the local council.

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The name of Ouvéa, immediately brings forward the socio-political crisis of the 1980's and its paroxysmal episode, “*the Ouvéa cave affair*” as well as the assassination of Jean-Marie Tjibaou a year later. We could almost state that Ouvéa is entirely a political issue. However, and this is quite paradoxal when you think about it, the island has been neglected by public policies for a long time and a geographer recently demonstrated how public authorities never bothered about the economic development of Ouvéa up until its classification by UNESCO in 2008 (Faurie, 2011: 234). In other words, if anything that has to do with Ouvéa always appear to be some way or other highly political, it also seems that everything is always regarded thru the distorting prism of « the events of the 1980's » which, in the end, act as a screen between the role they're still playing in the everyday life on the island and everything else that is at stake locally.

Focusing on the *commune* of Ouvéa and on its *local Council* is hence relevant, not so much to distinguish what is at stake on such a scale regarding the destiny of New Caledonia or even the Loyalty Island Province - not saying that this concern would lack relevance -, but rather to perceive and provide with a new way of perceiving how this local Council, a local republican institution, operates in a fully Kanak context where customary ideology occupy a key place but isn't the only registry of identification. As I have briefly mentioned during my introduction, the local Council of Ouvéa implements protocol practices –that somehow make it look foreign to the local daily life- while being impregnated by customary norms at the same time.

12.2 The *Conseil municipal* (local council)

The local Council of Ouvea meets about 4 times a year, in the new Council building which is Hwadrilla, in the northern part of the central district of the Island.

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This building is in what I call the « administrative centre » of the Island. This place is not locally referred to as such, but it is a place where the Loyalty Island building, the local Library, the bank, the customary Council building, the airline sales-office are next to each other. For this reason, this administrative centre is served by a free public transport and many people make their way there in order to fulfil administrative formalities (birth, death and marriage register, plane tickets purchases, banking etc.). This place, which I apprehended like a ‘neutral’ and favourable for meetings place, can also be qualified as a « *spot of politics* » (Abélès, 1997: 13). One can run into anyone and in particular people who don’t routinely interact with each other: people from the North and people from the Centre, European residents, administrative staff, tourists, as well as local deputies who have there working facilities where anyone can meet with them.

All elected members of the local Council meet up in this building on a regular basis. Their meetings always take place in the « Council room », on the building’s ground floor. This large room offers modern and rather expensive furniture (a very long oval table around which there are around 30 large and comfortable seats) and is always excessively air conditioned. As insignificant as this may sound, I must inform you of the relevance of this fact. Indeed, a vast majority of local houses don’t have running water and some of them have no power either.

At the back of the room, there are four chairs in case someone would like to come and attend the meetings. The council secretary delivers convocations of the sessions by hand to the deputies.

Sessions are usually planned to start at 10am, but hardly ever do and often start a lot later, when they are not postponed due to the lack of the required quorum (half of the elected members+one). And I quote my fieldwork diary:

« It is 10.30 and they need two more members to reach the required quorum. The session can’t start. The mayor suggests those who never show up to local Council sessions resign from their functions ».

Joking he adds:

« We are going to hire staff specifically in order to pick them up from home and bring them here ! We’re gonna have to you know !! »

(Fieldwork diary, Conseil municipal, 27th September 2010)

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Over all 5 sessions I fully attended between 2009 and 2010, three of them took place were called on the second time due to the impossibility of gathering the required quorum on the initial day.

Besides, for the 1987 to 2010 period, I have noted 127 postponed sessions over around 250, that is to say roughly 50,8%, the second sessions sometimes only counting a few participants. These elements are enough to be able to note that the local Council sessions are not a priority for its members except for a few deeply involved people : the mayor and a few of his deputies.

This is a big contrast with what can happen during customary life where when comes the time of a wedding, funerals or any other type of ceremony, going or not is not even up for discussion since people are expected to attend and they do.

This observation indicates a first distinction amongst the elected members of the Council themselves. On the one hand we have the « ordinary members », grassroots, and on the other hand members whose habits and attitudes come closer to those of « *Professional politicians* » if I may use J. Lagroye's vocabulary (Lagroye, 1994 : 5).

12.3 The institution's heavy role over ideologies and practices

12.3.1 The importance of protocol

In the room of the local Council, during sessions, the deputies' behaviours show specific norms that cannot be observed in any other context in Ouvéa.

For example, the rules of clothing to attend a session differ significantly from the ones that apply daily. This difference is especially notable in those of the « *Professional politicians* » who I already mentioned.

The Mayor and the general secretary are wearing trousers and buttoned shirts and every single time I attended the sessions, they were wearing closed shoes (may I interrupt my text with a weather forecast break and remind you that the annual average temperature in Ouvéa is around 27°C). A few other men of the assembly also wear buttoned shirts for the occasion when we know their daily clothes are more like shorts, tee-shirts and sandals or no shoes at all.

However this is not the case for all members of the council and in fact, except the ones I called “professional politicians”, most of them are dressed for the sessions just like in any other context. We could suggest that the solemnity of the moment is what makes people dress

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up but I must indicate that in other solemn moments, like weddings or funerals for instance, the appropriate clothing doesn't necessarily imply to dress in western clothes. During the local council sessions, when people dress up, that is how they do it.

Besides, I have also noticed that when walking into the council room, the higher the deputies are on the hierarchy of deputies, the longer then spend saying hello to every single person already in the room. They usually walk in with briefcases; diaries, pens and some of them arrive straight from the airport.

Indeed, various deputies of the local Council of Ouvéa, who all belong the « Professional politicians » category (Lagroye, 1994) don't live on the Island daily, but in Nouméa urban area. It was for example the case of the past (and current) Mayor, B. Ounou, who is living full time in Nouméa.

The fact that the Mayor of Ouvéa doesn't live or only part time in his municipality doesn't seem to bother anyone in Ouvéa. We can however find this situation surprising as the mayor is hence somehow outside of the municipal life in which he occupies its highest function.

The general secretary and the mayor, whose offices are both on the first floor of the Council building generally walk into the room when a few people are already there and their entrance usually signals the start of the session. When they walk into the room everyone stops talking. His secretary who's carrying documents he asks her to distribute always follows the mayor. Once this is done, the youngest of the council, to check the deputies' presence:

“S. Poumeli walks into the room, holding the council register and the list of deputies. The mayor whispers to her “S., you should check the list now”. He starts talking.

10h25, the mayor : « I think we will soon be able to start. Ladies and gentlemen, good morning. Today we are going to deal with questions previously debated in the financial working group. I am going to ask the youngest member of our assembly to check the list. [...] »

(Fieldwork diary, 4th October 2010 session)

The mayor considers that as the youngest member of the council, S. Poumeli, has to start her apprenticeship in political life doing easy tasks, and doesn't leave her with much alternative.

During the local council sessions, most of the sentences pronounced by the deputies are punctuated by, Sir, Mr Mayor, Mrs X deputy in charge of this or that working group etc. ». These comments regarding behaviours during council sessions and ways of speaking to each other are so different from what happens in every day life that we could almost forget that

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they do take place in Ouvéa. In every day life indeed, it is very unusual to hear people speak French; people don't use the formal grammatical way to talk to one another and when someone calls out somebody, only first names or kinship address terms are used (cousin, sister, mother etc.) and never the civil status (Mr, Miss etc.) as they do here.

May I also specify that since 2001, the local council of Ouvéa counts some women. Apart from the first seconds deputies (in we follow the deputies hierarchy) all the other women, who always dress with the missionary dress or island dress, are always sitting next to each other, at the exact opposite from men, who are also sitting next to each other.

Let's point out the fact that in customary events or during mass, men and women also sit on distinct places. Here at the council, their conversations are always whispered, in Iaaï or in Fagauvea (the two local languages) when, as mentioned earlier, the local council sessions do happen to be french speaking events.

These deputies, the women, only speak according to certain modalities and this is what make them appear pushed aside during the discussions which happen to mostly take place on the men's side of the table, and more specifically on the end of the table where the mayor and the "professional politicians" are.

When discussing about a particular session of the council with one of these women, I was asking her why, according to her, no request had been made from the women's condition working group, she said:

*« We do everything, we pray, we do weddings, but we never do the requests »
(interview with M. A, 23-06-2009, Teuta, Ouvéa)*

Saying this, M. A. indicates that women are highly engaged by Custom, as she said, *« we pray, we do weddings »* to the detriment sometimes of their other social positions like being a member and actively participating in the life of the local council, making requests for example. We therefore understand that for them Custom and Church are priorities and that the other social roles, come second, when not being completely ignored.

All these observations in regard to the behaviours that take place during the local council sessions let appear a first dividing line between deputies belonging to the « professional politicians » category on the one hand and the ordinary members, grassroots, on the other hand on who the republican norms have a smaller influence. This situation no longer sounds so surprising once we consider what A. Garrigou writes about the professionalization of the

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political body which go with the [mastering political schemes and the accuracy of behaviours] (Garrigou, 2003: 223).

12.3.2 The mayor's authority: about new elites

M. Tillewa was the mayor of Ouvéa between 2008 and 2013. He's around forty years old and comes from Banutr in the Central district of the island. Professional nurse, he first started as health educator in Ouvéa before being as a full trained nurse at the local small clinic (in Hulup) during five years. He was then trained to have higher responsibilities and became local manager of the whole clinic, which he did up until July 2010. Since then, he's now become head of the Loyalty Islands Province delegation in Ouvéa.

The mayor of Ouvéa qualifies himself as a «*very first hour political militant*». He has been a member of the UC since 1988, right after «*the events*». He explains he got involved in politics at the age of 25, genuinely following up after S. Loueckhotte (a famous politician from the island whose opinions are right wing orientated and who is currently a deputy of the national assembly in Paris) who was one his mother's close cousin.

M. Tillewa says he got to the council without having predicted it. He says:

« Well, in a way, I am the mayor, but it was never my plan...3 years ago, I wasn't even going for the election...and the party was, I would say...was somehow lacking new leaders...especially here in Ouvéa. Hence, they needed someone to boost up the list so as to...you know, therefore they asked my opinion on this...And in the end, I agreed. [...] Between 2 or 3 in the morning, I was asked, here Maurice, since I have a job with high responsibilities at the DISPENSAIRE, I was asked, Maurice, would you mind leading the list? Well, I said, ok then, why no ? And actually, hum...no later than 10 minutes after, the meeting was over...he laughs. »

(Interview with M. Tillewa, mayor of Ouvéa, le 22-10-2010, Hwadrilla, Ouvéa.)

As you can see, the mayor of Ouvéa, Maurice Tillewa has a fairly high social, academic and professional capital, unlike most people from Ouvéa of his generation who never studied nor have long-term high responsibility jobs. Considering these aspects we can tell that he clearly belongs the «*new elites*» sociological categories, which I won't elaborate on just right now.

During the local council sessions, he appears as an important character, powerful to whom people show respect and hardly ever contradict. For example, when the list of deputies is

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being check, he is the one who answers for those who are here and he distribute and has a speech monopoly during the sessions:

« The second topic of the day regards the public funding for non-profit organizations. The mayor starts listing various cases that still need dealing with :

The mayor : « *Christiane, can you please briefly introduce what's been discussed during the sessions of the « culture working-group ».*

Christiane : « *Thank you Mr Mayor. As for the cultural and business...»*

The mayor makes comments.

(Fieldwork diary, 4th October 2010 session)

Debates are supposed to take place during the meetings of working groups which happen before each local council session, hence during the sessions, the mayor very briefly jumps from one case to another without suggesting any form of discussion. Then, he asks one deputy to read the deliberation out loud:

The mayor : « *Here, ladies and gentlemen, are there any objections ? [nobody answers.] If there is no objection, we will then consider that all the deputies accept this. I am therefore going to ask miss S. Poumeli to read the deliberation out loud. »*

Stella Poumeli is struggling to read the pre-written and typed up document, which only deals with budget figures (chapter 65, article 65, 74 etc.). This very slow rhythm starts to annoy the mayor enough for him to interrupt her, quite aggressively.

The mayor: *here, give this to me, I'll keep reading it out loud.*

He reads louder, faster and more distinctively. He finishes, no one says anything.

(Fieldwork diary, 27th September 2010)

As we can see, during the local council sessions, the mayor distributes the floor and can also decide that it is time for him to have it.

The mayor : « *What about teaching Mrs Gagne ? I believe Nathalie has given you power ».*

J. Gagne : « *Thank you Mr mayor. First of all the students...*

The mayor : *[he interrupts her]* « *Start with reading those that already are on the deliberation, this way it is easier for us to take notes ».*

J. Gagne begins to read the requests that already are on the deliberation. The mayor interrupts her again, starts speaking and keep reading that same document.

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(Fieldwork diary, 04th October 2010)

As these two abstracts from my fieldwork diary show, the mayor frequently interrupts women deputies which he doesn't do, or not as much, to other deputies. Moreover, since he very often speaks during the sessions, he really is pacing them, and they are characterized by a quite vertiginous decision-making rhythm.

The mayor : « Public funding for the non-profit organisation of Sant Paul tribe. »

[He looks up. No one says anything. He then turns around to a deputy who comes from Sant Paul tribe.]

The mayor : « M. Waisselotte, the non-profit cultural organisation ? Is it active ? »

G. Waisselotte : « Hum, yes, yes ».

The mayor : « So ! Here. 100 000 francs for the non-profit cultural organisation of Sant Paul tribe. Are there any objections ? So, it's ok. About providing funds to the non-profit organization of loyalty island students....Well, ok we'll give them 100 000 frcs. »

[He looks up. No one says anything]

The Mayor: « Ok, validated ».

(Fieldwork diary, 04th October 2010)

These two extracts bring several considerations. The first one has to do with the non-existing debates and discussions during sessions. The previous example could really let us think that giving public funds to non-profit organization are of no importance, which is true in a way since Caledonian municipalities have big budgets, but we must also understand that there are no more debates when it comes to other topics.

The local council sessions appear just like a formality; indeed, since the topics under discussion hardly ever generate any break, these sessions therefore looks more like a rubber stamp for approval than a real democratic space for debate.

This leads us to put the power of the local council into perspective. May I insist on the fact that even if in charge of various domains, the local council remains under the customary authorities for everything that has to do with land. For I have partly witnessed it, we can also speculate that there are other places where debates do take place for real. In particular the political parties meetings, the mayor's office as well, just like the sessions held by the different working-groups.

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Beside, the local council sessions turn out to be areas where several dividing lines do appear. The first one has to do with the standards of behavior which are specific to this context and have a variable influence over people. Some external signs of compliance with the norms of the institution (vocabulary, clothing, attitudes etc.) are clearly obvious: it is particularly the case with the « *professional politicians* » who contrast here to the « ordinary deputies », the grassroots. The ordinary deputies don't display this outer 'institutional' signs to the norms of the institutions like the first ones do. However these norms do have an influence over the « ordinary deputies » since not mastering them puts them aside.

The second one, brings forward two opposite logics within this same area, the logic of the institution and the one of custom. As I mentioned earlier, the mayor does interrupt people. This practice, obviously tolerated and frequent during the sessions is nonetheless totally prohibited within customary life where it is on the contrary considered as an affront to custom. In order to explain this situation it seems that we can appreciate J. Lagroye's hypothesis that considers that « *the electoral legitimacy does empower* » (Lagroye, 1994: 10). This is precisely what happens with the mayor who, in daily life, is not overly prescriptive, but who, during local council sessions can ask someone to speak or not to speak or even speak whenever he thinks it is required. We can therefore theorise that in this case, it is specifically his status of mayor that empower him to have such behaviour without hurting or frustrating anybody.

Likewise, we can note that during the local council sessions the decision-making rhythm is extremely fast, which again, contrasts totally with customary decision-making processes. Within Custom indeed, decision-making processes always require several minutes-long speeches that are never to be interrupted. When someone's speech suggests a question, it is hardly ever asked directly and we could say the same thing about coming up with answers to a specific question.

Hence, the discussions that one can observe during the local council sessions really differ from customary practices. They differ that much that sometimes they are at their exact opposite. However, and in spite of all these differences, the local council sessions simultaneously reveal a very big influence of customary ways of doing.

12.4 The influence of Custom

12.4.1 Some hybrid files : the airport's extension

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I would just like to very briefly remind you that in Kanak New Caledonia, Custom wants any given piece of land to remain given for ever. As the mayor of Ouvéa explains :

« M.T. : *Us [the commune of Ouvéa] we don't own the land. We don't. Unlike the other communes...of the territory, on the Main Land [...].*

M.N. : *So, when the council is negotiating land with one particular chiefdom and that the elderly accept to give that piece of land..Does it remain the chiefdom's property ?*

M.T. : *Well...There is a customary act, [a legally approved document] where it is said that the use of that piece of land is given to the commune.*

M.N. : *Does this agreement mention for how long ?*

M.N. : *No, there no such thing as duration»*

(Interview with M. Tillewa, mayor of Ouvéa, 22-10-2010, Hwadrilla, Ouvéa.)

These legally approved documents are very much like life-long lease and therefore suggest that the use of the given piece of land no longer belongs to its original owner. Likewise, they suggest that people who will inherit that same piece of land will not be able to cancel their ancestor's contracts. Nonetheless, such situations do exist :

« M.T. : *What you need to know now is that even when customary authorities agree to give a piece of land, sooner or later, this piece of land is always claimed. It is a bit what we have for the extension of the airport. We are currently working on the writing of a new customary act when, years ago, the elderly, they had already agreed but now, the young ones disagree !! And they protest against the agreement that's already been signed...So we have to re-write a agreement. And in order to do that we have to discuss it again...And this is what we are currently working on...*

M.N. : *Talking about this specific case of the airport's extension. Can an agreement be broken ?*

M. T. : *[...] Well...the airport stays. But its extension is what we are re-discussing. Years ago, they agreed to give a piece of land in order to build an airport but now we are asked to renegotiate it. But this piece of land has already been given !! In 1959 they already agreed to its potential extension because they thought it would become a great airport...but the young ones, they disagree, they disagree and they want to break it...So we're discussing it...»*

(Interview with M. Tillewa, mayor of Ouvéa, 22-10-2010, Hwadrilla, Ouvéa.)

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The problems regarding the situation of the airport require us to look deeper in the conflict and try and understand why the mayor is so angry when talking about it.

In Ouvéa, the airport, just like the warf are managed by the Loyalty Island Province. The Province is also in charge of the main road which links all place which fall under its authority : airport, hospital, local building of the province, warf.

In 2010, the Province decides to start a big renovating work for a portion of the main road.

Since there are no such things as wall-building materials and trucks on the island, it decides to have them brought by special cargo.

Bringing rollers, pneumatic hammers, sand etc. to such a small island is very expensive. The Province therefore decided to take benefit from having all this available and start, once the road work would be over, to extend the airport since its extension was planned in the legal document signed in 1959.

The pieces of land meant for the extension belong to various clans from Hulup. People from the Province met in order to inform them about the building work to come. But, far from agreeing to this, they found this project useless and very expensive. This is when the mayor got into the picture. The Province sees in him a highly appropriate intermediate and this is how he got in charge of the airport extension file. He is ordered to go and negotiate, with the help from the « iaai customary council », the pieces of land required for the extension so that the workers can start working on it once finishing the road.

Indeed, as a french collectivity, that is indeed entitled to certain grants which have to be spent within a deadline or they will be postponed (rarely) or cancelled (most of the time).

The anger expressed by the mayor is in fact due to the fear of loosing that public money designed to extend the airport which would consequently make everyone give up on that project for ever.

The mayor is in a difficult position and particularly interesting to investigate since when re-negotiating the piece of land, he has to play with custom and its way of managing land on the one hand, and the French state, which is based on radically different basis and impose the start of the work or the budget will be cancelled. In that specific case, we can see that as a legal system, Custom, seems a lot more flexible than the French legal system.

12.4.2 Occupying space and speeches possibilities

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The arrangements of men and women deputies in the room reminds us very much of what happens in customary contexts: men on one side, women on the other. The few rather long speeches are always ended with « *oleti* » or « *de na guati* » which both are formulas used to end speeches in customary context.

We could literally translate them by « here, I'm finished » or « well, I'm finished now ». When they are pronounced, these sentences always call for a group « *oleti* » (thank you) from all those who listened to it, just like in a customary context. Moreover, the ones who speak very often use expressions that are of use in customary contexts. They speak in French most of the time but it happens that they also speak in iaai or fagauvea language, especially when their French is not so good:

A discussion starts about security in the local high schools and the fact that some parents requested to hire a security company to look after the buildings during weekends and school holidays. For the very first time of the session, a man (angry one too) starts speaking. He wants to express his disagreement on the parents' requests. His French is not very good and his sentences are regularly punctuated with expressions and fagauvean words.

P. I. « Please forgive me for rising up my voice, but are the tribal police ? The chiefdoms ? People no longer show respect to anything or anyone. That's all I wanted to say, thank you. »

(Fieldwork, 20th March 2009 session)

In this example, the deputy apologises for « raising his voice » before saying what he has to say just like in a customary context for instance. Moreover, he ends his very short speech with « that's all » which is the French equivalent of fagauvean « *de na* » his mother tongue.

12.4.3 Customary « 'gifts' and hierarchy

Besides behaviours and speech uses, which happen to be the ones used in customary contexts, we must know that these 'customary gifts' are also recurrent during the local council sessions. Visitors (researchers, people from the Province etc.) who wish to introduce themselves to the team before starting their own work can do it, or even, sometimes, they can be done by some of the council members themselves.

This is for example what happened on the 4th of October 2010. M. Wea, one of the local deputies has only just come back from the shooting of Rebellion movie on Anaa island in French Polynesia:

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Maki Wea wishes to present a gift to the local council to thank the commune for backing up such a project and also in order to bring everyone's still on the island 'hello' [the shooting of the movie is not over yet]. He would like to try and do a twin-island partnership with people from Anaa island in French Polynesia. He speaks in Iaai. While he's speaking, everybody is looking at the ground. He ends. « *Oleti* ». People are still looking to the ground and reply with a group « *oleti* ».

The mayor briefly thank his gesture and pass the gift [a piece of fabric and a bank note] to the old « Cyriaque » without saying more. The old man stands up, takes the gift and starts thanking it. Meanwhile, everyone is quiet and looking down. The old man thanks the gift on behalf of all the deputies, of the mayor, the « 19 » and their families. Everyone says « *Oleti* ».

(Fieldwork diary, 04th October 2010 session)

In situations like this, the gift, a piece of cotton fabric and a bank note, is always first given to the mayor. However, in spite of being the first magistrate, he is fairly 'young', around 45 years old, doesn't belong to a prestigious clan and doesn't have a prestigious position within his clan either. Hence, when he is given a customary 'gift' during one of the local council's sessions just like the one I mentioned, he doesn't keep it to himself and pass it on to what customary hierarchy considers a 'greater person', someone older who is then going to thank the gift, out loud, on behalf of the members of the local council. In such situations, we can see that customary hierarchy is the norm of reference for everyone, even the ones I call « *professional politicians* ».

Moreover, the language used also change and 'gifts' that are given in such contexts are almost always thanked in Iaai or Fagauvea (depending on the person's who thanks it mother tongue). Depending on situations, customary norms and habits can also have a certain influence on the operation of the local council.

« Customs » is moreover particularly obvious when looking at what women deputies can or can't do. One of them was talking with me about her function when setting things up for the festival of Melanesian arts in October 2010 :

« C.A. : *The mayor said 'Christiane you have to do this !' Its thtrue that it is my job after all ! Mais i is also true that [...] people who do the work are old men...so for me.....it is.... Us, Kanak people, you are not allowed to speak to an old man...but its my job ! This is what I have to do...*

M.N. : *So, you're not allowed to speak to an old man but if you have to do so because of what you have to do as a deputy then people will tolerate it ?*

C.A. : *Precisely.*

M.N. : *But this is hard for you isn't it ?*

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C.A. : Yes, it is very hard, when I'm finished with the festival, well, I went down there to give them a customary thank you gift....Because, as a...They are old men you know !! And I cannot tell them what to do ! But it is of my responsibility, this is what I have to do. It is of my working-group's responsibility ! So when I'm finished with it, well I went to them and apologized. Because when they did the work, I was above them, I was put above them, but when they finished, well, I thank them. [...] All I asked they did ! At first, they were meant to build big tents. And then, the mayor came to me and said 'they have to use steel plates'. Therefore they used steel plates. It means I'm bothering them you know...They are oldmen remember ! But I went to them and apologized, it was in to show them that they are a lot greater than me [...] to apologize [...]for having asked them to do this, and do that when they are old man, like my fathers you know... »

(Interview with C. Adjouniope, 11-10-2010, Hwadrilla, Ouvéa)

The women deputy describes the very difficult position she ended up in before and after the festival, due to her responsibilities as deputy. On the one hand, as deputy, she was in charge of the tent-building supervision but on the other hand, this status was putting her in a difficult double position of domination: young and women.

This situation, clearly emanates from the specific social relational mechanisms which prevail in daily life, which once more, reminds us of what J. Lagroye writes about behaviours deputies can be lead to have :

« One social relationships configuration doesn't substitute for another according to a system which would reduce social forms, but [...] progressively, partly, new social relationships systems do appear and affect all groups in various ways.
[...]. » (Lagroye, 1994 : 7)

As a Kanak women, she says it, the woman deputy is not to give order to « old men », that is to say to people that the customary hierarchy system considers higher in the social scale. To find a solution to this issue, the women deputy decided to make a choice, which she explicates very well and which we have to insist on since she could also have decided not to do it at all: doing what she had to as a deputy even if this lead to a difficult position for a Kanak woman but once the work was done going to these old men and apologize for giving them things to do. This women deputy's behaviour clearly reminds us of what J. Lagroye « appearance of new social relationship systems » linked to a « juxtaposition of roles» (Lagroye, 1994 : 13).

In apologizing, the women deputy tells the old men she is well aware of the customary hierarchy, especially in regard to them who are « above her ».

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This case is a typical example of real difficulties some women deputies have to face when they have to deal with two different social statuses. This situation is also obvious during the local council sessions:

« C.A. : *Personally, I do try and motivate them ! [Women who tries to speak out during meetings]. I told them that men always being above us in the hierarchy is not a good thing ! We, women, also have to be as high as them, both men and women or even higher than them might as well [she laughs] But at the same time, we have to remember that, we are women! So in order to speak out, I believe that...when I speak out during meetings, I know its good when there is only women...Only women..But when men are here too...that's when I....[silence]*

M.N. : *When there are men....is it harder ?*

C.A. : *Its not harder, but there are men I mean....and I am way lower than them. The mayor, I respect him. But he's lower than my husband even ! But i respect him, because, he is the first MAGISTRAT of the island. »*

(Interview with C. A., le 11-10-2010, Hwadrilla, Ouvéa)

As we can see once again, seniority and the men/women hierarchy has a very big influence on the practices that take place during the council's sessions and on the *job of 'elected citizen'*. Within this job, 2 hierarchies apply:

« There is no doubt than being an elected citizen as such, is firstly modelled by the specific social relations configuration of one place, at one time. The ways of acting as a mayor, « elite », « entrepreneur », are the results of dominant social relations system of one's society, of conceptions of what is legitimate and required, of socially valorised practices in all their forms. (Lagroye : 1994 : 6-7)

We can understand now that in spite of obeying to rules we can never see anywhere on the island, and in Kanak new Caledonia in general, (that is to say, fast decision-making, interrupting people etc.) the sessions of the local council don't erase social obligations that apply in everyone's ordinary daily life and which are dictated by the ideology of Custom. It appears indeed as the basis of power relationships and interests that do characterize this new political arena, which is being modelled within the context of the local council institution, and by the practices elected citizens, the deputies, have there. Just like the behaviours of elected citizens described by J. Lagroye:

« We are therefore looking at a real sedimentation mechanism, through which roles prescriptions matching successive both social relations and

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knowledge systems coexist, one characteristic of a politician's job being the management of these co-existing systems on a day-to-day basis. » (Lagroye, 1994: 8)

And, it is this exact sedimentation mechanism that ends up empowering the mayor and makes him benefit from special respect even during customary events:

« MT : *Personnaly, I would say that yes, it makes a differences when being mayor. It changes things. Yes. People see you differently. In the end, they look at you differently because I am the mayor of the island. He is in charge of the whole population. I mainly notice that coming from old people, I can feel the respect to have for the first magistrate.*

MN : *How would you say they express this respect ? [...]*

MT : *They call me Mr Mayor...yup...when all young ones of my generation, well, they call me by my first name ! »*

(Interview with M. Tillewa, mayor of Ouvéa, 22-10-2010, Hwadrilla, Ouvéa.)

In other words, in spite of Custom being unanimously considered the basics of life on both social and political life of Ouvéa island, and in spite of reaching independence for New Caledonia being a goal for over 80% of people on the island, this doesn't go without some recognition for republican institutions, and more generally for the State. This paradox brings back J. Bazin's words who considered that the '*State machinery is a trap in which everyone gets caught without understanding how it happened*' » (Bazin, 1988 :711).

This also brings new questions to us, this time regarding the presence of pro-independence elected deputies within republican institutions and regarding what Jean-Marie Tjibaou use to name « Decolonization within the Republic » (Tjibaou dans Wittersheim, 2003 : 19).

12.5 Pro-independence deputies and decolonization

About the « state machinery » project (Bazin, 1988 : 711) in New Caledonia, E. Wittersheim writes :

« Yes, all State projects of all sorts, necessarily confront themselves to local and region powers ; but in the case of Kanak New Caledonia, the idea of a melanesian independant State itself is only just a young ideology, and social strategies find their roots within political customary systems. »
(Wittersheim, 2006 : 128-129)

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The local council of Ouvéa hence is a typical case study of the implementation of the « social strategies » I just quoted from E. Wittersheim's work. It looks like we are currently witnessing, at the heart of this republican institution, the local council, the ongoing building process of a kanak political arena which oscillates between customary rules on the one hand and republican protocols on the other hand.

Since New Caledonia is still not decolonized, we must insist on the importance of this political arena. Indeed, republican institutions turn out to be the only place for kanak people to express their political claims

« Since French people became citizens in 1946 and able to vote in 1951, they were only given the chance to express their opinion (pro-independence, pro-autonomy, or other) within republican institutions (municipalities, territorial assembly, provinces) which set a frame for French politics in an arena that makes the expression of a native nationalism very hard to happen. »
Wittersheim, 2006 : 114)

As said earlier, Kanak people came into republican institutions via missions before turning their back on them (the institutions not the Christian churches) and protesting against them in the 1970's 1980's. Since the Matignon agreements were signed in 1988, pro-independence kanak people have decided for « the decolonization within the republic » (Tjibaou in Wittersheim, 2003 : 19) which lead them to get involved in republican institutions again, in order to change things from the inside.

This reminds us of R. Lefèvre's work on socialist's politicians at the start of the 20th century and of J. Mischi's which focused on communist politicians. Both these authors question, for each one of the political parties they studied, the presence of revolutionaries within republican institutions and their ability to subvert (or not) the institution from the inside. Both their analysis tend to prove that in the end, it is the institution, due to the fact that it is precisely an institution, which turned out to subvert the revolutionaries. In New Caledonia, the political strategies that aims at building up an independent state using French republican institutions for that matter is still the current general strategy of most pro-independence kanak for who it still appears highly challenging

Conclusion

The study of the local council of Ouvéa, this republican institution directly coming from metropolitan France, shows that two orders of organisation and exercise of local power

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are embeded within one another. In his work about Koné on the northern part of the Main Land of New Caledonia, B. Trépied demonstrated that after the Indigénat, the first kanak deputies all belonged to prestigious clans and that most of them were chiefs⁷. After the 1960's, however, this recruiting logic disappeared for another one, still in use today, putting forward academic, intellectual and economic capital (Trépied, 2007). The sessions of the local council of Ouvéa and the political character that the mayor is, both demonstrate that the current situation in Ouvéa is the same. Indeed, the current mayor, just like the previous one, studied at university and has a long-term job with high responsibilities.

Beside, during the sessions, the influence of protocol generates « repertoires of behaviours » (Lagroye, 1994 : 7) that are not observable anywhere else on the island. These behaviours are those of « *professional politicians* ». This analytic category enabled us to make a distinction between 'professional politicians' and 'ordinary deputies'. As we have seen, customary norms and logics seem to be of higher importance for them than on the other ones.

Questioning the embedment of these two logics within the same « spot of politics » leads us to the idea of the ongoing building process of a autonomous political arena. This ongoing building process, that deputies work on day after day, is in that sense far from just being an extension of Custom, as we have tried to demonstrate, it generates practices that are not to be observed anywhere else on the island.

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⁷ Voir Trépied, 2007.