

The French Antilles: Historical Debates, Contemporary Challenges

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Introduction

The history of the relations between France and its dependencies of the Caribbean is characterized by:

A local quest for equality between citizens in the Caribbean and those of mainland France.

A willingness to recognize the **specificities of the territories**

The institutional and political translation of this will be:

- the **departmentalization of the colonies** in 1946

(integration), claimed by the local political elites, including Aime Cesaire

- the **legal recognition of specificities** in article 73 of the French Constitution of 4 October 1958, revised March 2003

The local demands and the responses of the state show a **convergence of wills between the French state and the local elites** (I)

This convergence is reflected in a **recently renovated legal framework** (II)

which provides for a **relative autonomy of the French territories** (III)

convergence of the wills of
the State and those of local elites



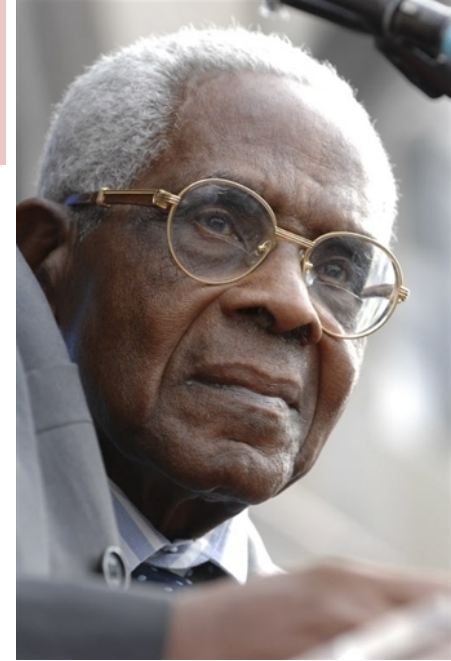
The discourse of the state: Unity and uniqueness

«the taking into account of the specificities of each of the overseas community should be accompanied with full adherence to the principles and intangible values of the Republic which cannot but be fully complied with on the entire territory of the Republic...».

11 march 2000 Palais des Congrès de Madiana Martinique : *French President, M. Jacques Chirac*

The local political discourse of contestation: Equality and singularity

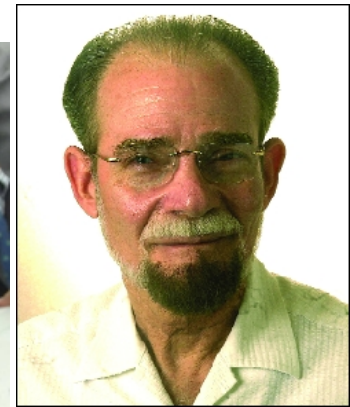
In march 1958 **Aimé Césaire**, draftsman of the Act of departmentalization presents a report entitled "*for the transformation of Martinique in a Region as part of a French Federated Union*”



In 1967, the **Progressive Party of Martinique** is explicitly for autonomy within France.

The demand for a strengthened local power in the French Republic

- 1999: reports and statements are conducive to local accountability
- December 2000 The Orientation Law for the Overseas countries strengthens decentralization, including regional cooperation





The legal framework for relations between France and its dependencies

articles 72, 73 and 74 of the constitution



Article 72-3

The Republic recognizes **within the French people,**
people overseas, in a **common**
ideal of liberty, equality and fraternity.

Article 73: Identity and legislative exemptions

Principle of legislative identity:

"In the departments and regions overseas, laws and regulations are applicable as of right"

Principle of adaptation

"They can be adapted into the characteristics and constraints of these communities"

Article 74: Legislative speciality

« Overseas territories governed by this article have a status reflecting the specific interests of each in the Republic”.

Possibility to choose autonomy

Change today: a relative autonomy?

- Consultations
- speeches

Consultations of December 7, 2003

Guadeloupe and Martinique (no consultation in Guyana)

Do you approve the proposed creation of a territorial collectivity governed by Article 73 of the Constitution, and therefore by the principle of identity with the possibility of legislative changes, and replacing the Department and the Region as provided for in the aforementioned article?

The consultation in Guadeloupe in 2003

- **NO: 72.98%**

YES: 27.02%

The consultation in Martinique in 2003

NO: 50.48%

YES: 49.52%

The Consultation of 2010 in Martinique and French Guiana

on January 10, voters had to answer "yes" or "no" to the following question:
«Do you agree with the transformation of Martinique in a *collectivité d'outre-mer* governed by Article 74 of the Constitution, with a particular organization taking into account its own interests within the Republic?»

If voters said "no" to the question, they would be consulted again January 24, 2010 and would have to answer by "yes" or "no" to this question:

«Do you approve the creation of a *collectivité* in Martinique exercising the combined powers vested in the Department and the Region and remaining governed by Article 73 of the Constitution?» *décret (n°2009-1406)*

The victory of the NO

THE "NO" to 74, A cry of distress or a token of love?

Titre du Journal France-Antilles Guadeloupe 12.01.2010

Référendums en Outre-mer

La Martinique et la Guyane ont dit non à une autonomie accrue



MARTINIQUE	
Superficie	1 128 km ²
Population	402 000 hab.
Revenu/hab.	13 251 euros*
Chômage	22,4%*

GUYANE	
Superficie	86 504 km ² dont 90% de forêt
Population	221 500 hab.
Revenu/hab.	13 835 euros*
Chômage	21,2%*

Results of the consultation of 24 January 2010 in Guyana

YES: 57.49%

NO: 42.51%

RÉSULTATS DE MARTINIQUE

INSCRITS	296413	
VOTANTS	106182	
EXPRIMÉS	101305	
PARTICIPATION	35,82%	
Oui	69099	68,21%
Non	32206	31,79%

RÉSULTATS DE GUYANE

INSCRITS	67528	
VOTANTS	18519	
EXPRIMÉS	17241	
PARTICIPATION	27,42%	
Oui	9912	57,49%
Non	7329	42,51%

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Results of the consultation of 24 January 2010 in Martinique

YES: 68.21%

NO: 31.70%

RÉSULTATS DE MARTINIQUE

INSCRITS	296419	
VOTANTS	106162	
EXPRIMÉS	101305	
PARTICIPATION	35,82%	
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The discourse of the State about political change

a fair degree of autonomy

« I always said I was open to the issue of institutional development, provided it is in the service of a project. Today, I transform these words into action because I believe that the political and social context requires it. After the crisis of confidence a part of the overseas territories has gone through, the status quo is, in my view, not desirable.

(Sarkozy Président de la République, FA 8 oct 2009)



The meaning of the debate

« ... Let me correct the fantasized misconception that has it that the Republic is “sneaking” itself out of the overseas territories ... *What is at stake is the fair degree of autonomy. The demand for local accountability. The balance between unity and singularity. That is all what is at stake.*

I cannot imagine an institutional evolution of Martinique but within the framework of the existing Constitution. Sections 73 and 74 of our fundamental Law are very flexible and ultimately allow varying degrees of autonomy. » (discours aéroport Aimé Césaire 26 juin 2009).

The discourse of the local elites: between
consensus and opposition,
the case of Guadeloupe

From the Lise-Tamaya report to the “Declaration de Basse-Terre”: accountability within France and Europe

- June 24, 1999: Lise-Tamaya Report entitled "The overseas departments today: toward responsibility»,
- December 1, 1999 Statement of Basse-Terre in which the Presidents of Regional Councils of Guadeloupe, Martinique and French Guiana state their intention to propose amendments to the Statute of the Regions Overseas "with a special tax and social security system, within the French Republic and the European Union».



The change of status is not a priority

« ... I repeat my commitment to the common law of Article 73. » Everything is in it:

- *Legal and political stability;*
- *the maintenance of social rights;*
- *and most importantly, unexplored resources in local responsibility, that we have begun to experiment through the lawmaking capacity the constitution allows us.*
- **Victorin Lurel (31/12/09)**



The discourse of the social movement?

- « We have been talking about statutory changes since 2003. However, our movement is not going in that direction. Those who want a change in status can demonstrate as well, but they have it all wrong.
- The UGTG just want Guadeloupeans to live better, not that their lives change radically». (*DOMOTA in l'express* 26/01/09)

Conclusion:

Dependency or accountability?

- Overwhelming presence of the State which appears as interventionist, protector and regulator of the local society.
- The debate on social mobilization and institutional change are illustrations of this representation.
- Paradox of an increasing state control in a context of decentralization
- Dependency as resource?