

Elite settlements in island territories: The road to a binding political status referendum in New Caledonia and Puerto Rico

Alberto M. Burgos-Rivera

University of Colorado Boulder, USA

alberto.burgos-rivera@colorado.edu

Abstract: New Caledonia and Puerto Rico are two non-sovereign island territories of France and the United States respectively. Both territories have historically centered their political debate on the definition of their political status and have done so by implementing numerous referendums. Of the two territories, however, only New Caledonia has managed to establish a binding referendum on political status. This raises the following question: How has New Caledonia managed to obtain a binding referendum on its political status while Puerto Rico has failed to do so? One variable present in New Caledonia, but not in Puerto Rico, was the convening of both the metropolitan and territorial political elite with regards to the territory's change in political status as well as the definition of each status option. While elite theory has been used as a theoretical framework to explain democratization, this article discusses the role of elite settlements with regards to changes in political status among non-sovereign island jurisdictions. I focus on two key events in both case studies. In New Caledonia, I focus on the signing of the Matignon and Nouméa Accords, 1988 and 1998 respectively, while in Puerto Rico I focus on the Plebiscitary Process of 1989-1991.

Keywords: elite settlements, islands, New Caledonia, political status, Puerto Rico, referendum

<https://doi.org/10.24043/isj.398> • Received September 2021, Early access September 2022

© *Island Studies Journal*, 2023

Introduction

New Caledonia and Puerto Rico occupy a *sui generis* political status within the territorial systems of France and the United States (US) respectively. Within the system of French overseas collectivities of DOMs (*overseas departments*) and TOMs (*overseas territories*), New Caledonia has a *statut particulier*. This means that New Caledonia has the potential to become an independent state following a series of political devolutions

as stipulated under the Nouméa Accord and Title XIII of the Fifth French constitution (Nouméa Accord, 1998; Fifth French Constitution, Title XIII). As an *Estado Libre Asociado* (translated into Commonwealth in English), Puerto Rico has constitutional self-rule although it is still considered an unincorporated territory subject to the Territorial Clause of the US Constitution (U.S. Const. Art IV § 3).

Both territories have historically centered their political debates on the definition of their political status. In New Caledonia, debates on political status focus on whether it should become an independent state or remain a French territory. Meanwhile in Puerto Rico, debates focus on whether it should become an independent state, a state of the United States, remain with its current Commonwealth status, or develop an 'enhanced' Commonwealth status (Lecours & Vézina, 2017). Both territories have implemented referendums in attempts to settle the issue on their political status but out of the two territories, only New Caledonia has been successful in establishing a binding referendum.

When examining both island territories, only New Caledonia has been successful in its attempts towards changing its political status as it has managed, albeit in a postponing manner, to implement a binding referendum on its political status. Although Puerto Rico has held numerous referendums on its political status, none of them have been legally binding. This leads to the following research question: How has New Caledonia managed to obtain a binding referendum on its political status while Puerto Rico has failed to do so? One reason for this was that both the metropolitan and territorial political elite convened with regards to New Caledonia's change in political status. Not only did the metropolitan and territorial political elite in New Caledonia agree on the establishment of a binding referendum, but they also agreed on a process of political devolution as well as defining what constitutes each political status option (Chappell, 1999). This is an outcome that is yet to occur in Puerto Rico (Meléndez, 1991). Given these diverging outcomes, I argue that elite settlements between the metropolitan and territorial political elite on the territory's change in political status led to the implementation of a binding referendum on political status.

New Caledonia and Puerto Rico are far from the only subnational island jurisdictions to have used referendums on their political status. Other examples include Greenland, and its 2008 self-government referendum (Grydehøj, 2016); and the Netherlands Antilles, whose wave of referendums in the early 2000s led to its eventual dissolution in 2010 (Veenendaal, 2015). The referendum results obtained in the aforementioned territories, however, showed overwhelming support towards further political autonomy, leading their respective metropolises (i.e., Denmark and the Kingdom of the Netherlands) to engage in negotiations regardless of whether the referendums were binding or not (Grydehøj, 2016; Veenendaal, 2015). In New Caledonia and Puerto Rico, referendum results have consistently showed polarization in terms of political status with their respective populations being equally divided on the issue (e.g., Connell, 2003; Meléndez, 1991).

Despite the aforementioned similarities between both island territories, both territories have a number of differences. New Caledonia and Puerto Rico have had

different colonial and geopolitical histories as well as significant differences in terms of societal cleavages. On the one hand, New Caledonia has a salient indigenous-settler cleavage that nonexistent in Puerto Rico. There are a number of reasons why New Caledonia and Puerto Rico are worth comparing, however. For one, New Caledonia and Puerto Rico are both island territories where their respective populations are equally divided with regards to their territories' political status. In New Caledonia, support for independence is roughly divided between half the population (Connell, 2021). In Puerto Rico, roughly half the population supports statehood while the other half supports an enhanced Commonwealth status (Vézina, 2014). Second, political parties on both island territories have centered their platform on a particular political status. Parties in New Caledonia center their platform either around independence or remaining a part of France with the best-known examples being the pro-independence FLNKS and the anti-independence RPCR respectively. Puerto Rico also has parties that base their platform around a desired political status. These parties are the Popular Democratic Party (PPD), which supports the current if not an 'enhanced' Commonwealth status; the New Progressive Party (PNP), which supports Puerto Rico's statehood; and finally, the Puerto Rican Independence Party (PIP), which supports independence. Finally, while both island territories center their domestic politics on the definition of their political status, much of the debate is centered on what each alternative status entails as well as how to carry out a possible transition towards said status (Connell, 2003; Meléndez, 1991).

Given that elites play a key role when determining change in political status, I propose Burton et al.'s (1992) neo-elite paradigm as a theoretical framework. This framework, traditionally used in the democratization literature, is based on the premise that consensus among elites is tantamount to the state's democratization and regime stability. The present work, however, applies elite theory as a catalyst towards a non-sovereign island territory's change, or modification, of its political status. In terms of methodology, I take a process tracing approach focusing on how elite settlements between the metropolitan and territorial political elite led to the establishment, or not, of a binding political status referendum in New Caledonia and Puerto Rico. For New Caledonia, I focus on the Matignon and Nouméa Accords of 1988 and 1998 respectively, while I focus on the Plebiscitary Process of 1989-1991 for Puerto Rico.

Non-sovereign island territories, the metropolitan state, and the political elite: Negotiating changes and modifications in political status

Much of the literature on non-sovereign island jurisdictions has focused on why these territories opt to remain non-sovereign (Baldacchino, 2010; Ferdinand et al., 2020). Aside from the common denominator that most of the remaining non-sovereign territories are islands, these non-sovereign island territories tend to have *sui generis* territorial arrangements with their respective metropolises (Ferdinand et al., 2020; Grydehøj, 2020; Rezvani, 2014). Yet, despite their *sui generis* status, territorial elites as well as their constituents often seek to modify their status to keep pace with current

economic times (Prinsen et al., 2017). As a result, these jurisdictions have engaged in negotiations with their respective metropolises, so as to modify their political status (Veenendaal, 2015; Prinsen et al., 2017; Ferdinand et al., 2020; Korson et al., 2020).

One reason why numerous non-sovereign island territories reject 'sovereign' status alternatives as established by UNGA Resolution 1541 is because their non-sovereign status quo represents a "best of both worlds" scenario (Baldacchino & Hepburn, 2012; Rezvani, 2014; Prinsen et al., 2017). While these territories tend to be among the poorest jurisdictions within the metropolitan state, they are among the wealthiest jurisdictions relative to their sovereign neighbors (Prinsen et al., 2017; Ferdinand et al., 2020). On the one hand, non-sovereign island jurisdictions are granted a degree of sovereignty through self-government, promotion of local cultures, and the establishment of diplomatic missions in neighboring countries (Grydehøj, 2020; Prinsen et al., 2017). On the other hand, their status as non-sovereign jurisdictions guarantee continued economic assistance through monetary transfers, as well as citizenship and the right of movement to the metropole (Prinsen et al., 2017; Ferdinand et al., 2020; Grydehøj, 2020).

Despite rejection of 'sovereign' political status alternatives, non-sovereign island territories have engaged in negotiations with the metropolitan state in attempts to modify their non-sovereign political status to fit the current times (Prinsen et al., 2017; Ferdinand et al., 2020). One such example is that of the Netherlands Antilles in which its constituent islands changed their political status through the use of referendums (Veenendaal, 2015). Although the referendums were non-binding in nature, the results led to the convening of both the territorial and metropolitan elite in what led to the eventual dissolution of the Netherlands Antilles. Veenendaal (2015) finds, however, that although the Netherlands Antilles' dissolution through referendum was the end result of an elite settlement, negotiations regarding the constituent islands' status quo with the Netherlands continue. A case in point is Bonaire, which held a referendum in 2015 to modify its current status as a 'special municipality'. The issue here is that despite overwhelming support for modifying its status, the Netherlands has not acted on the matter (Veenendaal, 2015). As a result, stalemates concerning political status occur between territories and metropolises.

Greenland is another case in which a non-sovereign island territory modified its political status through elite settlements and referendums (Grydehøj, 2016; 2020). Grydehøj (2016) explains how attempts to modify Greenland's political status from Home-Rule to Self-Government occurred whenever consensus between the Greenlandic and Danish political elite convened on Greenland's change in status. While this made strides towards potential decolonization, issues such as Greenland's economic dependence to Denmark remains a point of contention that is yet to be settled between both entities (Grydehøj, 2020). It must also be mentioned that Greenland modified its political status through the use of referendums. While the referendums were non-binding in nature, the overwhelming support for self-rule was enough for the elite to engage in negotiations (Grydehøj, 2016).

Changes or modifications in political status, however, have only been set in motion whenever the territorial and metropolitan political elite agree on the non-sovereign island's change in political status (Veenendaal, 2015). These may be carried out through political devolutions or through political status referendums (e.g., Prinsen et al., 2017; Ferdinand et al., 2020). This is not limited to changes in political status, however. Korson et al. (2020) also find this to be the case with regards to indigenous rights in non-sovereign island territories. In other words, recognition of indigenous rights in such jurisdictions occurred as a result of elite settlements between the territorial, metropolitan, and indigenous elite. While New Caledonia and Puerto Rico are not unique in their use of political status referendums, their cases are interesting in part due to their polarization regarding the issue of political status (Chappell, 1999; Meléndez, 1991; 1993). As such, not only is there the issue of holding a referendum, but there is also the issue of both defining the status alternatives and establishing a transitional period. While most works acknowledge the role of elites on the modification of political status (Prinsen et al., 2017), such works do not necessarily consider the elite settlement process.

Elite theory as a catalyst for a change in political status

Elite theory has traditionally played a role in the democratization literature as a crucial variable towards the establishment and consolidation of democratic regimes (e.g., Rustow, 1970; Huntington, 1984; O'Donnell & Schmitter, 1986; Burton et al., 1992). The elite variable in democratic transitions consists of warring elite factions who deliberately come together under a possible threat towards their existence and agree to set the "rules of the game" with which the polity is to be governed. We see this in Rustow's (1970) four phases of democratic transitions; Huntington's (1984) concepts of 'Replacement' and 'Transformations'; O'Donnell and Schmitter's (1986) concept of 'pacts'; and Burton et al.'s (1992) concept of elite settlements. Although these authors consider the elite variable an important one when it comes to democratic transitions, they do not consider it as a necessary or defining variable with regards to democratization (e.g., O'Donnell and Schmitter, 1986). Burton and Higley (1987), on the other hand, consider the elite variable as a precondition of, although not a guarantee for, democratic consolidation.

While elite theory has played a role as a variable of democratization, no work has applied said theory to the literature on non-sovereign island territories. I propose Burton et al.'s (1992) approach towards elite theory, specifically focusing on Burton and Higley's (1987) concept of elite settlements. Burton et al. (1992) argue that that consensus among elites is tantamount to the state's democratization and regime stability. Burton et al. (1992) define elites as people able to affect political outcomes regularly and substantially. Elites affect political outcomes "regularly" in that their individual point of view is seen as an important factor to be weighed when assessing the likelihood of continuities and changes in regimes and policies. They also affect political outcomes "substantially" in the sense that, without their support or opposition,

an outcome salient to their interests would be noticeably different (Burton et al., 1992, p. 9). Burton et al. (1992, p. 8) elaborate by stating that “elites are the principal decision makers in the largest or most resource-rich political, governmental, economic, military, professional, communications, and cultural organizations and movements in a society.”

Although the concept of elites is an encompassing term, I specifically focus on political elites which Burton and Higley (2001, p. 182) define as “the several thousand persons who hold top positions in large or otherwise powerful organizations and movements and who participate in or directly influence national political decision-making.” These include but are not limited to “business, government, military leaders, as well as top position holders in parties, professional associations, and trade unions” (Burton & Higley, 2001, p. 182).

With regards to elite settlements, Burton et al. (1992, p. 13) define these as “relatively rare events in which warring elite factions suddenly and deliberately reorganize their relations by negotiating compromises on their most basic disagreements.” Elite settlements emerge under two sets of circumstances: prior occurrence of a conflict in which all elite factions suffered heavy losses; or major crises that threaten the resumption of widespread violence (Burton et al., 1992). Among the features that distinguish elite settlements are speed; face-to-face, partially secret negotiations among leaders of major elite factions; formal and written agreements; predominance of experienced political leaders; and autonomy from mass followings and pressures (Burton & Higley, 1987; Burton et al., 1992). It must be noted that Burton et al. (1992) focus on elite negotiations and not the events that lead to them. As such, Burton and Higley (1987; 2006) define being “autonomous from mass pressures” as being in a position to grant concessions without pressure from mass partisans. The end result of a successful elite settlement is the state’s democratic consolidation and regime stability.

I argue that Burton and Higley’s (1987) concept of elite settlements can be applied as a precondition of, although not necessarily a guarantee for, towards non-sovereign island territories’ change in political status. However, instead of achieving democratic consolidation and regime stability as an end result, the end result would be a change or modification of political status or a legally binding referendum on political status. Unlike the case studies presented in the democratization literature, it is necessary to establish another influential variable, namely the role of the metropolitan political elite. In both our case studies, attempts to address the non-sovereign island territory’s status were set forward when political elites in the metropole showed their support for a change in the respective territories’ political status.

Diverging paths towards establishing a binding referendum on political status: New Caledonia

The first European contact with the island of New Caledonia was in 1774. In 1853, France took possession of the island in an attempt to secure a port of call in the Pacific and rival the British colonies of Australia and New Zealand (Chappell, 1999). During its

early years as a French colony, between 1864 and 1897, New Caledonia functioned as a penal colony and by 1870 it experienced its first nickel rush. These two factors contributed to a rise in European migration which led to conflicts with the island's indigenous population (Connell, 2003). As a result, the colonial administration implemented the *code de l'indigénat* forcing the indigenous Melanesians, or Kanaks, into reservations and depriving them of political rights (Chappell, 1999; Connell, 2003).

Initiatives towards equality began in 1946, when France, under the Fourth Republic, abolished the *code de l'indigénat* which ended legal discrimination against the Kanaks and granted them full political rights (Hillebrink, 2007; MacLellan, 2005; Mgrudovic, 2012). That same year, New Caledonia was also made into an overseas territory, effectively removing the island from the United Nations' List of Non-Self-Governing Territories. This period saw an increase in Kanak political participation as well as the rise and formation of political parties such as the Union Calédonienne (UC). Founded in 1953, the UC supported political autonomy for the island and had the support of both the settler and indigenous populations (Chappell, 1999). This period of political autonomy, however, proved to be short-lived. In 1958, voters in New Caledonia approved the Republic's Fifth Constitution. Under the Fifth Constitution, Paris revoked much of the autonomy granted to New Caledonia and assumed more controls over more areas of administration (Connell, 2003). For instance, more powers were invested in the governor whose position was then transformed into that of the High Commissioner (Blay, 1988; Chappell, 2015).

The years following the establishment of the French Fifth Republic saw a period of renewed immigration. Between the years 1969 and 1974, as a result of a second nickel rush brought about by the Vietnam War, New Caledonia experienced immigration not only from the metropole but also from countries such as Vietnam and Indonesia as well as other nearby French territories such as Tahiti and Wallis and Futuna (Connell, 2003). This period of increased immigration saw political polarization of both the Kanaks and the settler population, with the former increasingly supporting independence and the latter supporting to remain a French territory. Kanak support for independence was the outcome of lagging reforms, racial discrimination, as well as France's opposition towards greater autonomy polarized politics (Chappell, 2003). By the end of the 1970s, every Kanak political party became supportive of independence (Chappell, 2003). The pro-independence parties initially coalesced under the Front Indépendantiste (FI) under the leadership of Jean-Marie Tjibaou in 1979, which then became the FLNKS in 1984 (Blay, 1988). On the other side of the political spectrum, the anti-independence parties coalesced under the RPCR in 1977 under Jacques Lafleur (Blay, 1988).

Aside from being the founding year of the FLNKS, 1984 became the starting year of *Les événements*. Taking place between 1984 and 1988, *Les événements* began when the FLNKS boycotted the 1984 elections and instead opted for violent opposition against the New Caledonian government. In 1986, sparked by concerns regarding France's policies towards New Caledonia, the UN Special Committee on Decolonization reinstituted the island on its List of Non-Self-Governing Territories (Islam, 1988;

Hillebrink, 2007; UNGA Resolution 41/41, 1986). The following year, the French Metropolitan government, under Prime Minister Chirac, held a referendum on New Caledonia's political status. The results of the referendum showed overwhelming support for continuing as a French territory (98% in favor) in the face of boycotts by the FLNKS. Confronted with their numerical minority and unfavorable terms, the FLNKS justified its boycott stating that the terms established in the referendum "entitled all inhabitants of New Caledonia, irrespective of their country of origin, with a minimum of three years of continuous residency in the territory to vote in the referendum" (Islam, 1988, p. 230).

Despite the referendum results, conflict between the pro-independence and anti-independence factions continued. The conflict reached its climax in 1988 with the Ouvéa Hostage Taking in which Kanak militants kidnapped and took 23 French officials and gendarmes hostage, demanding New Caledonia's right to self-determination and independence (Islam, 1988). The incident caused the French Security forces to directly intervene, killing over 19 Kanak militants in the process, thereby catalyzing negotiations between the French Government and leaders of both the pro-independence and anti-independence parties in New Caledonia. The ensuing negotiations led to the creation of the Matignon Accords.

How elites paved the way for possible decolonization in New Caledonia: The Matignon Accords

Taking into consideration Burton and Higley's (1987) the elite typology, the New Caledonian case study prior to the Matignon and Nouméa Accords presents itself as a case of disunited elites. Prior to the signing of the Matignon Accords in 1988, exclusion of the Kanak population was the norm as increased migration to the island rendered their numbers proportionally smaller, hence, making them lose ground in the political field. Socially and economically speaking, predominantly Kanak regions such as the North Province and Loyalty Islands were much less developed and much more susceptible to social problems such as increased unemployment (Chappell, 2015). Such inequalities and impediments for Kanak parties to formally become part of New Caledonia's political mechanism led to search for extralegal methods through the use of violence during *Les événements*. This is a common experience in polities with disunited elites.

It was the prospect of continued political violence that led the RPCR, under Jacques Lafleur; the FLNKS, under Jean-Marie Tjibaou; and the French metropole under Prime Minister Rocard and the Socialist Party to convene and agree to draft and sign the Matignon Accords in 1988 (Connell, 2003; Maclellan, 2005). Also taking into consideration the elements present in an elite settlement, both the Matignon and the Nouméa Accords were handled in a speedy manner, each one taking less than a year, both concluded in formal agreements, with the presence of experienced political elites, and with the political elites acting autonomously from mass pressures. With regards to being autonomous from mass pressures, this meant that leaders of the FLNKS, the RPCR, and France were in a position to grant concessions without pressure from

partisans (e.g., Burton & Higley, 1987; 2006). For this reason, negotiations took place in Paris, despite the fact that France also had interests in the outcome. The priorities and points of contention, however, differed for the various parties. Aside from the FLNKS's support for independence and the RPCR's wish to remain in France, other issues raised were immigration as well as social and economic development in predominantly Kanak regions. The signing of the Matignon Accords set the stage for New Caledonia's decolonization and, despite Jean-Marie Tjibaou's assassination in 1989, all relevant parties continued with the functioning of political procedures established by the Accords. This is a clear example of warring elites' commitment towards political change and stability.

The Matignon Accords provided for direct French rule for a year, 1989; the division of New Caledonia into three distinct provinces (the North Province, the South Province, and the Loyalty Islands); defined the distribution of powers between France, New Caledonia, and its regions; increased transfers from France; provided for technical training for the local Melanesian population; and a political status referendum in 1998 (Matignon Accords, 1988). Unlike the voting requirements in the 1987 referendum, the referendum established at the end of the Matignon period required a minimum ten-year residency in order to be eligible to vote. This was seen as a victory by both the RPCR and the FLNKS. For the RPCR, the Matignon Accords granted the island territory increased autonomy without the necessity of sacrificing French rule. For the FLNKS, the Matignon Accords provided a check on immigration with the ten-year residency requirement in advance of the 1998 referendum and provided the *400 cadres* program, which provided opportunities for Kanak residents to obtain training in New Caledonia's public service sector.

Despite all the benefits the Matignon Accords seemed to offer, they fell short of fulfilling their initial promise. For instance, although the *400 cadres* program provided a number of Kanaks with job training for public service jobs, most of the higher-level positions in the territory were still held by French-born citizens (Henningham, 1994). Some groups within the FLNKS argued that increased transfers from the French government would only discourage Kanak groups from supporting independence, and divisions within the FLNKS with regards to the future of New Caledonia would follow suit (Henningham, 1994). On the economic side, investments, particularly in the mining sector, failed to trickle their way up to the northern region and, as a result, more Kanaks moved to the southern part of the territory (Henningham, 1994). Nearing the end of the Matignon decade, disagreements between the FLNKS, the RPCR, and the French Metropolitan government seemed to emerge once again. For instance, the RPCR began lobbying the French Government under Gaullist Minister Alain Juppé for a 30-year transition period, while the FLNKS argued that such claims went against what was established in the Matignon Accords and countered their offer with an "independence in association" political agreement (Chappell, 1999). Juppé, however, refused both offers, stating that neither independence nor "independence in association" were possible (Chappell, 1999). Nearing the 1998 referendum, one of the few issues both the FLNKS and the RPCR seemed to have agreed upon was that it was too soon to have a

referendum on independence and such a referendum would reignite the political violence from the period of *Les événements* (Chappell, 1999; Connell, 2003).

How elites paved the way for possible decolonization in New Caledonia: The Nouméa Accords

In 1997, on the eve of the planned referendum on New Caledonia's status, the FLNKS under Roch Wamytan, the RPCR under Jacques Lafleur, and the French Government under Prime Minister Jospin convened to negotiate what came to be known as the Nouméa Accords in 1998. These accords set to continue New Caledonia's transition towards independence by moving the referendum back by another 15-20 years. Unlike the Matignon Accords, however, the transfers under the Nouméa Accords are "irrevocable," with every passing electoral term seeing the transfer of new competences from the French state (Nouméa Accord, 1998, Section 3). These accords also recognize the impact of French colonization on the island as well as the existence and contribution of Kanak culture, an issue the previous Matignon Accords did not recognize (Nouméa Accord, 1998). Because the Nouméa Accords were envisioned with the concept of inclusion, they instituted proportional representation in the Territorial Congress, also providing each region with its respective territorial assembly (Nouméa Accord, 1998). Voting requirements were further restricted so as to include only those citizens who show proof of continued residence for 20 years before 2013; show continued residence between 1988 and 1998; or, if born after 1988, have a parent who could vote in the 1998 referendum. In order to identify those residents with voting eligibility, the Nouméa Accords provides "New Caledonian citizenship" to voters who meet such criteria (Nouméa Accord, 1998).

In the period immediately following the Nouméa Accords, New Caledonia experienced increased political devolutions with each passing electoral term (Connell, 2003). Although France has committed itself to honoring the outcome of the referendum, it has nevertheless been partisan, in favor of a potential 'No' victory at the time of the referendum. While the Nouméa Accords set forth a process of gradual devolution culminating in an independence referendum, much of the disagreement stems from the territorial level of government (Connell, 2003; Chappell, 2015). Chappell (2015), in particular, focuses on the stalemate that characterized the 2014 elections, the last elections prior to the setting of the 2018 referendum. Not only did anti-independence parties obtain a majority of seats in the 2014 legislative elections, but these elections proved controversial, namely because sharp divisions between pro-independence and anti-independence parties prevented the formation of a government. It was precisely a common interest in stability and in preventing a reemergence of *Les événements* that ultimately led the warring pro-independence and anti-independence parties to form a government (Chappell, 2015). This was particularly the case when the pro-independence FLNKS voted to support Philippe Germain of *Calédonie Ensemble* as president of the government of New Caledonia (Chappell, 2015). However, the fact that anti-independence parties held the majority of seats during the 2015-2019 period meant that the independence referendum was

held towards the end of the fourth mandate (Nouméa Accord, 1998). Because the Territorial Congress was unable to forge the three-fifths majority required to establish the first referendum, French intervention was needed to set the referendum date to November 4, 2018 (Maclellan, 2019).

The subsequent 'No' victories in the 2018, 2020, and 2021 referendums

At the time of writing, New Caledonia has held all three independence referendums as stipulated by the Nouméa Accords. All three referendums were marked by 'No' victories, although the 'Yes' option did not lag far behind in the 2018 and 2020 referendums (Maclellan, 2019; Connell, 2021). Unsurprisingly, the overwhelming majority of 'Yes' votes came from the Kanak population while most of the 'No' votes came from the European, immigrant, and Wallisian populations (Maclellan, 2019; Korson et al., 2020; Connell, 2021).

Most of the debates held after the results of the 2018 referendum centered on whether to hold a subsequent second or even third referendum (MacLellan, 2019; Connell, 2021). Because anti-independence parties still held a majority of seats in the Territorial Congress, another point of contention focused on whether to abolish the additional two independence referendums (Maclellan, 2019). Anti-independence parties argued that the results of the first referendum should be an indication of New Caledonians' desire to remain a French territory. Supporters of independence, on the other hand, considered the result a victory, not only because of the slim margin but also because the increasing electoral strength of Kanaks could conceivably tip the scales for an eventual 'Yes' victory in a second referendum (Maclellan, 2019). Despite France's interest in having New Caledonia remain a French territory, its role was limited to setting the next legislative election to May 12, 2019 (Maclellan, 2019). No other agreements were reached with regards to further referendums.

The 2020 referendum saw another 'No' victory as well as a considerably higher turnout (86% of eligible voters) (Connell, 2021). Although the 2018 referendum saw a victory for the 'No' campaign, the margin seemed to be too close for comfort for anti-independence activists. This inspired groups who had previously urged boycotts to turn out to vote regardless of whether they supported independence or not (Connell, 2021). The results for the 2020 referendum showed a 53.3% vote for 'No' and a 46.7% vote for 'Yes'. The 'No' victory in the 2020 referendum inspired anti-independence supporters to propose discarding the possibility of a third referendum and make New Caledonia a permanent French territory (Connell, 2021). For supporters of independence, however, it was again the closeness of the results that motivated the push for the third, and final, referendum, as stipulated by the Nouméa Accords.

Rather than wait another two years for the third and final referendum, the last referendum took place on December 12, 2021. Unlike the 2018 and 2020 referendums, the third referendum was marked by an overwhelming 'No' victory. The 2021 referendum saw 'No' obtaining 96.5% of the vote, with 'Yes' obtaining a meager 3.5% of the vote. One reason for the overwhelming 'No' victory was the 'Yes' campaign's call for a boycott of the election given the rise in Covid-19 cases (McDonald, 2021).

Although the results of the third and last referendum seem to have given an outstanding victory to the anti-independence cause, some pro-independence parties argue that such results should not be recognized (McDonald, 2021). As of now, New Caledonia is undergoing an 18-month transition period that is likely to conclude in further negotiations with regards to its political status (AFP, 2021). That being said, leaders of pro-independence parties have even entertained the notion of further autonomy through ‘free association’ (McDonald, 2021). Although New Caledonia’s political status is still a divisive issue, a common interest in preventing a reemergence of *Les événements* is enough to engage Kanaks, settlers, and the French state in negotiations on the territory’s political future.

Diverging paths establishing a binding referendum on political status: Puerto Rico

After nearly four centuries of Spanish rule, Puerto Rico was ceded to the United States at the end of the Spanish-American War in 1898. Spain’s cession of its territories to the United States was made official with the signing of the Treaty of Paris of the same year. This treaty stipulated that the US Congress would determine the civil and political rights of Puerto Ricans (Shaw, 1994; Treaty of Paris, article IX). In 1900, Congress passed the Foraker Act granting Puerto Rico civil government. Despite the granting of civil government in Puerto Rico, the issue with regards to its political status was yet to be determined. Between 1901-1922, in a series of cases known as the Insular Cases, the Supreme Court established that Puerto Rico was an unincorporated territory subject to the Territorial Clause, a status it carries to this day despite its current Commonwealth status. As an unincorporated territory, Puerto Rico belongs to but does not form part of the United States and only certain constitutional rights are guaranteed: those subject to the Territorial Clause (U.S. Const. Art IV). Strides towards broader political autonomy came with the passage of the Jones-Shafroth Act in 1917. The political framework established by the Jones Act was kept intact until passage of the Elective Governor Act of 1947 when Congress amended the Jones Act to allow Puerto Ricans to elect their own governor (Elective Governor Act, 1947).

Puerto Rico experienced major changes in its political status between 1950 and 1952. In 1950, Congress passed Public Law 600 “in the nature of a compact” authorizing the Puerto Rican legislature to draft its own constitution, although this constitution would be subject to the approval of both the Puerto Rican electorate and the US Congress (Medina, 2010). Public Law 600 amended certain provisions of the Jones Act but kept the provisions of the Foraker and Jones Acts that regulated Puerto Rico’s relations with the United States (Rodríguez-Orellana, 2015). The Puerto Rican electorate first approved Public Law 600, also known as the Puerto Rico Federal Relations Act, authorizing the establishment of a constitutional convention that would then be assigned the task of drafting a local constitution. Voters then ratified the proposed constitution of the Commonwealth of Puerto Rico on March 3, 1952, with Congress approving the Constitution in what came to be known as Public Law 447 on July 25, 1952.

Once Puerto Rico achieved its Commonwealth status, the United Nations General Assembly passed Resolution 748 the following year (UNGA 748, 1953). This Resolution provided for the cessation of reports on Puerto Rico under Article 73(e), hence, removing the island from the UN's List of Non-Self-Governing Territories. The UNGA premised this Resolution on two factors: the consummation of a free political association between Puerto Rico and the United States, as manifested by the establishment of the Commonwealth government; and the entry into force of the Puerto Rican Constitution (UNGA 748, 1953). Despite Puerto Rico's removal from the List of Non-Self-Governing Territories, its acquisition of Commonwealth status did little to address the issue on its political status as it was still an unincorporated territory subject to the US Constitution's Territorial Clause.

At the time of Puerto Rico's attainment of its Commonwealth status, Luis Muñoz-Marín's PPD was the island's hegemonic political party. The PPD called for full autonomy in local affairs while retaining the basic relationship with the United States (Collo, 1996). Shortly after obtaining its current Commonwealth status, both pro-independence and pro-statehood advocates argued that this status did not bring about a massive change in the relationship between the United States and Puerto Rico (Shaw, 1993). Nevertheless, both Muñoz-Marín and the PPD sought to consolidate the island's current Commonwealth status by adding broader political powers. Such claims, however, went largely ignored by the US Congress, with its only goal being the creation of a Status Commission in 1965 (Collo, 1996). The recommendations given by the Commission, however, were non-binding in nature. Following the advice of the Status Commission, the PPD-controlled government instituted a referendum on the island's political status in 1967 (Collo, 1996). The referendum results showed massive support for continuing with the current Commonwealth status, at 60% of the vote. The following year, however, the PPD lost its electoral hegemony as the PNP, under Luis A. Ferré, won Puerto Rico's governorship. This marked the start of a period of bipartisan, which continues to this day.

The plebiscitary process of 1989-1991: Divergent conceptions of political status between the US and Puerto Rican political elite

At the territorial level, the Plebiscitary Process of 1989-1991 began when the leaders of Puerto Rico's main political parties wrote to both the executive and legislative branches of the US's federal government regarding Puerto Rico's political status (García-Passalacqua & Rivera-Lugo, 1990). Representing virtually all voters, with the PPD advocating an enhanced Commonwealth status, the PNP advocating statehood, and the PIP advocating independence, these parties "articulated a consensus that kept a process of status deliberation in motion longer than at any time in the previous 40 years" (Rodríguez-Orellana, 2015, p. 35): The consensus was that Puerto Rico's current political status was ineffective. At the territorial level, the governor at the time, Rafael Hernández-Colón of the PPD, surprised constituents when he announced a referendum on political status (Meléndez, 1993). At the US federal level, however, despite then-President George H.W. Bush's overt support for Puerto Rican statehood, the

Plebiscitary Process officially began when the Senate's Committee on Energy and Natural Resources prepared three federally sanctioned bills S.710, S.711, and S.712, to allow Puerto Rico to implement a referendum on its political status (Meléndez, 1991; 1993). Of the three bills, S.712 was the most detailed and contained the options set forward by Puerto Rico's three main parties with regards to their respective political status: Commonwealth, Statehood, and Independence (Meléndez, 1991; 1993; S.712 (1989)).

Despite consensus among Puerto Rican political elites on the ineffectiveness of the island's current status quo (Rodríguez-Orellana, 2015), the US federal government was divided. While the first draft of S.712 went to public readings in Washington, D.C., and San Juan, a second revision of the bill eliminated the demands issued by the island's political parties as well as removed the bill's self-executing nature and a simple majority victory for the preferred status option (Meléndez, 1993). Although leaders from Puerto Rico's main political parties reluctantly accepted the status definitions presented in the second draft of the bill, other committees such as the US Senate's Financial Committee expressed concerns regarding the economic impacts of each political status alternative, especially a vote towards statehood (García-Passalacqua & Rivera-Lugo, 1991; Meléndez, 1993). A change in personnel, however, was the catalyst for the death of Puerto Rico's status bill. In 1990, James McClure retired as vice president of the committee, and his successor Senator Malcolm Wallop (R-WY) sought to obtain bipartisan support to prevent another such bill from passing as he was known to oppose Puerto Rican statehood and argued that such a referendum would open the door to such an eventuality (Meléndez, 1993). No such initiative has been taken by the US Congress since, with initiatives having continued through the territorial government.

What made the Plebiscitary Process of 1989-1991 unique was the fact that, for the first time, the initiative to tackle the issue of Puerto Rico's political status was taken up by the US Congress and included the leaders of Puerto Rico's main political parties in the process (García-Passalacqua & Rivera-Lugo, 1990; 1991; Meléndez, 1993; Rodríguez-Orellana, 2015). While there was elite consensus at the territorial level of government with regards to implementing a binding referendum on political status, differences abounded at the federal government level. For the first draft of the S.712 bill, the PPD, the PNP, and the PIP each brought their set of demands with regards to political status. The PPD sought an enhanced Commonwealth status with broader political powers and, at the same time, with equal rights and access to federal funds on par with the US's 50 states (García-Passalacqua & Rivera-Lugo, 1990). The PNP, on the other hand, argued for *estadidad jíbara* (*Creole Statehood*) in which the island could retain Spanish alongside English as official languages; its own Olympic committee; a "statehood for the poor" in which federal funds could be immediately applied in parity with the rest of the states of the Union; and for the US to assume Puerto Rico's public debt (Meléndez, 1991; 1993). In addition, the PNP argued for the continuance of Section 936 Corporations for another 25 years (García-Passalacqua & Rivera-Lugo, 1990; 1991). The PIP argued for double citizenship; Puerto Rico's demilitarization; and access to the US market (Meléndez, 1991).

While the island's political parties presented their demands regarding political status, these came along with changes from the US Senate. For instance, with regards to the statehood option, the Senate rejected Congress' assumption of Puerto Rico's public debt as well as the maintenance of Spanish as one of Puerto Rico's official languages (García-Passalacqua & Rivera-Lugo, 1990). As for the independence option, the Senate eliminated the right of US citizenship for those born after the date of independence, and issues such as free trade agreements were to be settled after independence was achieved (Meléndez, 1991). With regards to the Commonwealth option, the Senate rewrote the status definition; rejected the island's parity to federal funds on par with the 50 states; and rejected the island's local legislature veto power over federal legislation (García-Passalacqua & Rivera-Lugo, 1990).

The Senate's strategy was prompted by the potential economic costs of each political status (García-Passalacqua & Rivera-Lugo, 1991). On the federal government's side of the negotiation, the Senate's Financial Committee stated that each political status option should guarantee fiscal neutrality, meaning that each status option should not cost the federal government more than it cost to maintain the island's current political status (García-Passalacqua & Rivera-Lugo, 1991). The US Treasury found statehood to be the most expensive option, with independence being the least expensive (García-Passalacqua & Rivera-Lugo, 1991). It was precisely the statehood alternative that led Congress to reject the referendum bill outright. Surveys conducted in Puerto Rico showed increasing support for US statehood (García-Passalacqua & Rivera-Lugo, 1991). Despite elimination of S.712's self-executing clause, many within the federal government were opposed to the referendum's passage, fearing the possibility of statehood (Meléndez, 1993). Aside from the economic issues, arguments against Puerto Rican statehood also consisted of the island's distinct identity from the rest of the United States and how it would assimilate with the rest of the states of the Union (Meléndez, 1993).

Taking into consideration Burton and Higley's (1987) theory of elite settlements, the Plebiscitary Process of 1989-1991 followed most of the mentioned characteristics: speed; face-to-face, partially secret negotiations among leaders of major elite factions; formal and written agreements; predominance of experienced political leaders; and autonomy from mass followings and pressures. While at the federal level the Plebiscitary Process followed the established procedure with regards to the passage of laws, at the territorial level only the territorial political elites were consulted. With regards to speed, Burton and Higley (1987) argue that most settlements do not take more than a year. The 25-month duration of the Plebiscitary Process may imply that it took too much time. Because of its failure to pass in both chambers of Congress, a formal and written agreement detailing the processes to be followed failed to occur. In addition, different interests and the refusal to modify and redefine the political status options proved a stumbling block towards negotiation, as can be seen with the elimination of S.712's self-executing clause. It might be argued that because there was not a possibility or history of prolonged political violence, agreements failed to come

into place. Instead, economic factors took center stage in determining decisions (e.g., Burton & Higley, 1987).

Subsequent status referendums held since the Plebiscitary Process of 1989-1991

The failure of the Plebiscitary Process of 1989-1991 has not stopped territorial elites from holding numerous other referendums on Puerto Rico's political status. Unlike the proposed referendum from the Plebiscitary Process of 1989-1991, most of the proposed referendums ever since have been partisan in nature as well as non-binding. This is because most political status referendums held (i.e., 1993, 1998, 2012, 2017, and 2020) have taken place whenever the PNP has taken the governorship (Vézina, 2014). While this in itself is not an issue, most of these referendums have served as the PNP's strategy to push the cause of Puerto Rican statehood. This is because much of the debate on these referendums has centered on whether to include the current Commonwealth status as an option as well as properly defining each of the political status options in each referendum (Lecours & Vézina, 2017; Vézina, 2014).

While the Commonwealth status won in the 1993 and 1998 referendums, the subsequent 2012, 2017, and 2020 referendums saw statehood as the preferred status option amongst the electorate (e.g., Vézina, 2014; Lecours & Vézina, 2017; Comisión estatal de elecciones, 2021). Although the 2012 referendum was the first referendum in which statehood obtained the most votes, it was also the referendum to exclude the current Commonwealth status as an option. The referendum instead asked voters in a separate ballot whether they approved of the current Commonwealth status, with a majority of voters expressing disapproval (Vézina, 2014). The 2017 referendum included the traditional options of statehood, Commonwealth, and independence. While the statehood option won 97% of the vote, turnout for the referendum was low, amounting to just 22% of registered voters. The 2020 referendum was similar to that of New Caledonia's in that it focused on the question on whether Puerto Rico should be admitted as a state or not. As was the case in the referendums in New Caledonia, the 2020 referendum was limited to a 'Yes' or 'No' option, with the 'Yes' option winning 52.5% percent of the vote against the 47.5% who voted 'No' (Comisión estatal de elecciones, 2021).

This is not to say that initiatives on referendums have been limited to Puerto Rico. Despite divisions regarding Puerto Rico's political status at the US federal level, there have been allies to the cause of Puerto Rican statehood in both the executive and legislative branches. This has meant that both US Senators and Representatives have written and sponsored bills in support of Puerto Rican statehood. Two such bills, the Puerto Rico Statehood Admission Act (H.R. 1522, 2021) and the Puerto Rico Self-Determination Act (H.R. 2070, 2021), have been proposed to address the issue of Puerto Rico's political status. Given the 'Yes' victory obtained in the 2020 referendum, H.R. 1522 (2021) was proposed as a mechanism to pave the way for Puerto Rico's statehood. H.R. 2070 (2021) follows a dynamic similar to that of the Plebiscitary Process of 1989-1991 in that it proposes a binding referendum on Puerto Rico's status. Both bills, however, have only been introduced in the US House of Representatives and

are yet to be put to a vote in either the House or the Senate. Not only would these bills require passage in both chambers of Congress, implying elite consensus between the metropolitan political elite, but consensus must also be present between the territorial elite for the possibility of a binding referendum to take place.

Conclusion: Diverging paths towards establishing a binding referendum on political status in New Caledonia and Puerto Rico

New Caledonia and Puerto Rico present cases of different outcomes in debates concerning the status of non-sovereign island territories. In New Caledonia, island and metropolitan political elites catalyzed political change (e.g., through the establishment of a binding referendum on political status) and achieved an elite settlement. This was a significant accomplishment, notwithstanding the impetus provided by the previous period of violent conflict (Connell, 2003). Although the territorial and metropolitan elite also convened on the issue of Puerto Rico's political status, disagreements over the definitions of each of the political statuses as well as the self-executing nature of the proposed referendum led to the failure of the Plebiscitary Process of 1989-1991 (Meléndez, 1993). There was not elite settlement.

This article has been an attempt at using Burton et al.'s (1992) theory of elite settlements to specifically focus on non-sovereign island territories. Some non-sovereign island territories do not seek to adopt 'sovereign' status alternatives (Baldacchino & Hepburn, 2012) but nevertheless engage in negotiations with the metropole when it comes to modifying their political status (Prinsen et al., 2017; Ferdinand et al., 2020). Although New Caledonia and Puerto Rico are far from the only non-sovereign island territories to engage in negotiations or enact referendums on political status, there are numerous reasons both territories are worth comparing. Unlike other non-sovereign territories like the former Netherlands Antilles and Greenland in which there was popular consensus in favor a particular political status (e.g., Veenendaal, 2015; Grydehøj, 2016; 2020), the populations of New Caledonia and Puerto Rico are more or less equally divided with regards to political status (e.g., Connell, 2021; Vézina, 2014). As such, not only are there divisions when it comes to the definition and adoption of a political status, but divisions also abound when it comes to transitioning towards said status.

Although New Caledonia managed to obtain binding referendums as the outcome of elite settlements, the referendums' consecutive 'No' victories have left the island in a transitional limbo (Connell, 2021; Le Monde, 2021). At the time of writing, New Caledonia is yet to determine its political status with regards to France. Regardless of the political status it ends acquiring, the possible resurgence of *Les événements* is enough to motivate the convening of territorial and metropolitan elites to reach settlements on New Caledonia's political status (McDonald, 2021). Although the failure of the Plebiscitary Process of 1989-1991 has not stopped the Puerto Rican government from enacting political status referendums, these have been non-binding and partisan in nature. It is for this reason that even though more recent referendums have shown

the statehood option to be the preferred option (Vézina, 2014), the federal government is more than likely not going to take any action. Initiatives have not been absent at the federal level (e.g., H.R.2070, 2021), yet such bills would not only have to consider the interests of the island elite but also need to find consensus at the US federal level.

References

- Accord sur la Nouvelle-Calédonie signé à Nouméa le 5 mai 1998 (Nouméa Accords). (1998). *France*. New Caledonia.
- An act temporarily to provide revenues and a civic government for Puerto Rico, and for other purposes (Foraker Act), Pub.L. 56–191(1900).
- An act to provide a civil government for Puerto Rico, and for other purposes (Jones-Shafroth Act), Pub.L. 64–368. (1917).
- A bill to provide for a referendum on the political status of Puerto Rico. S.712 – 101st Congress (1989-1990). (1989, April 5).
- Baldacchino, G. (2010). 'Upside down decolonization' in subnational island jurisdictions: Questioning the 'post' in postcolonialism. *Space and Culture*, 13(2), 188-202. <https://doi.org/10.1177/1206331209360865>
- Baldacchino, G., & Hepburn E. (2012). A different appetite for sovereignty? Independence movements in subnational island jurisdictions. *Commonwealth and Comparative Politics*, 50(4), 555-568. <https://doi.org/10.1080/14662043.2012.729735>
- Blay, S.K.N. (1988). Self-determination and the crisis in New Caledonia: The search for a legitimate self. *Asian Survey*, 28(8), 863-880. <https://doi.org/10.2307/2644591>
- Burton, M. G., & Higley, J. (1987). Elite settlements. *American Sociological Review*, 52(3), 295-307. <https://doi.org/10.2307/2095351>
- Burton, M. G., Gunther R., & Higley, J. (1992). *Introduction: elite transformations and democratic regimes*. In J. Higley, & R. Gunther (Eds.), *Elites and Democratic Consolidation in Latin America and Southern Europe* (pp. 1-37). Cambridge University Press. <https://doi.org/10.1017/cbo9781139173902.002>
- Chappell, D. A. (2015). Decolonization and nation-building in New Caledonia: Reflections on the 2014 elections. *Political Science*, 67(1), 56-72. <https://doi.org/10.1177/0032318715588121>
- Chappell, D. A. (1999). The Nouméa Accord: Decolonization without independence in New Caledonia. *Pacific Affairs*, 72(3), 373-391. <https://doi.org/10.2307/2672227>
- Collo, M. J. (1996). The legislative history of colonialism: Puerto Rico and the United States Congress, 1950 to 1990. *Journal of Third World Studies*, 13(1), 215-232.
- Comisión estatal de elecciones. (2020). Plebiscito para la definición final del estatus político de Puerto Rico: Resultados

- Connell, J. (2021). The 2020 New Caledonia referendum: The slow march to independence? *Journal of Pacific History*, 56(2), 144-160. <https://doi.org/10.1080/00223344.2021.1912584>
- Connell, J. (2003). New Caledonia: An infinite pause in decolonization. *The Round Table*, 368, 125-143. <https://doi.org/10.1080/00358530309632>
- Elective Governor Act, Public Law 80-362. (1947).
- Ferdinand, M., Oostindie G., & Veenendaal, W. (2020). A global comparison of non-sovereign island territories: the search for 'true equality'. *Island Studies Journal*, 15(1), 43-66. <https://doi.org/10.24043/isj.75>
- Fifth French Constitution. Article IX.
- García-Passalacqua, J. M., & Rivera-Lugo, C. (1990). *Puerto Rico y los Estados Unidos: El proceso de consulta y negociación de 1989 y 1990- Tomo I*. Editorial de la Universidad de Puerto Rico.
- García-Passalacqua, J. M., & Rivera-Lugo, C. (1991). *Puerto Rico y los Estados Unidos: El proceso de consulta y negociación de 1989 y 1990- Tomo II*. Editorial de la Universidad de Puerto Rico.
- Grydehøj, A. (2020). Unravelling economic dependence and independence in relation to island sovereignty: The case of Kalaallit Nunaat (Greenland). *Island Studies Journal*, 15(1), 89-112. <https://doi.org/10.24043/isj.101>
- Grydehøj, A. (2016). Navigating the binaries of island independence and dependence in Greenland: Decolonisation, political culture, and strategic services. *Political Geography*, 55, 102-112. <https://doi.org/10.1016/j.polgeo.2016.09.001>
- Henningham, S. (1994). The uneasy peace: New Caledonia's Matignon Accords at Mid-Term. *Pacific Affairs*, 66(4), 519-537. <https://doi.org/10.2307/2760677>
- Hillebrink, S. (2007). *Political Decolonization and Self-Determination: The Case of the Netherlands Antilles and Aruba*. TMC Asser Press.
- Huntington, S. (1984). Will more countries become democratic? *Political Science Quarterly*, 99(2), 193-218. <https://doi.org/10.2307/2150402>
- Islam, M. R. (1988). The 1988 Paris Agreement on the future status of New Caledonia. *Queensland University of Technology Law Journal*, 4, 229-241.
- Korson, C., Poauteta, S., & Prinsen, G. (2020). Triangular negotiations of island sovereignty: Indigenous and customary authorities-metropolitan states-local metropolitan authorities. *Island Studies Journal*, 15(1), 67-88. <https://doi.org/10.24043/isj.112>
- Lecours, A., & Vézina, V. (2017). The Politics of Nationalism and Status in Puerto Rico. *Canadian Journal of Political Science*, 50(4), 1083-1101. <https://doi.org/10.1017/s0008423917000488>
- MacLellan, N. (2005). From Eloi to Europe: Interactions with the ballot box in New Caledonia. *Commonwealth and Comparative Politics*, 43(3), 394-418. <https://doi.org/10.1080/14662040500304890>
- MacLellan, N. (2019). 'We lost on the numbers, but for us it's a victory': New Caledonia's 2018 referendum on self-determination. *The Journal of Pacific History*, 54(2), 224-252. <https://doi.org/10.1080/00223344.2019.1600641>

- McDonald, H. (2021, December 22) Settled French territory or powder keg: What next for New Caledonia after failed bid for independence? *The Guardian*. <https://www.theguardian.com/world/2021/dec/23/settled-french-territory-or-powder-keg-what-next-for-new-caledonia-after-failed-bid-for-independence>
- Medina, L. E. (2010). An unsatisfactory case of self-determination: Resolving Puerto Rico's political status. *Fordham International Law Journal*, 33, 1048-1100.
- Meléndez, E. (1991). The politics of Puerto Rico's Plebiscite. *Caribbean Studies*, 24(3-4), 117-150.
- Meléndez, E. (1993). *Movimiento Anexionista en Puerto Rico*. Editorial de la Universidad de Puerto Rico.
- Mrgudovic, N. (2012). Evolving approaches to sovereignty in the French Pacific. *Commonwealth and Comparative Politics*, 50(4), 456-473. <https://doi.org/10.1080/14662043.2012.729730>
- O'Donnell, G., & Schmitter, P. (1986). *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*. Johns Hopkins University Press. https://doi.org/10.1007/978-3-531-90400-9_90
- Pastor, R. (1984). The international debate on Puerto Rico: The costs of being an agenda-taker. *International Organization*, 38(3), 575-595. <https://doi.org/10.1017/s0020818300026850>
- Prinsen, G., Lafoy, Y., & Migozzi, J. (2017). Showcasing the sovereignty of non-self-governing islands: New Caledonia. *Asia Pacific Viewpoint*, 58(3), 331-346. <https://doi.org/10.1111/apv.12151>
- Public Law 447, Approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952. Pub.L. 447, 82-447 (1952).
- Public Law 600, 81-600 An act to provide for the organization of a constitutional government by the people of Puerto Rico. Pub.L. 600, 81-600 (1950).
- Puerto Rico Self-Determination Act of 2021. H.R.2070 – 117th Congress (2021-2022). (2021, March 18).
- Puerto Rico Statehood Admission Act. H.R.1522 - 117th Congress (2021-2022). (2021, March 3).
- Référendum de 1988 sur l'autodétermination de la Nouvelle-Calédonie (Matignon-Oudinot Accords.). (1988).
- Référendum en Nouvelle-Calédonie : Victoire massive et sans surprise du « non » à l'indépendance, sur fond d'abstention record. (2021, December 13). *Le Monde*. https://www.lemonde.fr/politique/article/2021/12/12/les-bureaux-de-vote-pour-le-referendum-sur-l-independance-de-la-nouvelle-caledonie-ont-ouvert_6105720_823448.html
- Rezvani, D. (2014). *Surpassing the sovereign state: The wealth, self-rule, and security advantages of partially independent territories*. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199688494.003.0007>
- Rodríguez-Orellana, M. (2015). Puerto Rico and the U.S. Congress: The road ahead. *Texas Hispanic Journal of Law and Policy*, 21, 31-61.

- Rustow, D. (1970). Transitions to democracy: Toward a dynamic model. *Comparative Politics*, 2(3), 337-363. <https://doi.org/10.2307/421307>
- Shaw, D. A. (1993). The status of Puerto Rico revisited: Does the current U.S.-Puerto Rico relationship uphold international law? *Fordham International Law Journal*, 17(4), 1006-1061.
- Treaty of Paris. (1899). Article IX
- United Nations. (1945) *Charter of the United Nations and Statute of the International Court of Justice*. New York: United Nations, Office of Public Information.
- United Nations General Assembly Resolution 748, (1953). *Cessation of the transmission of information under Article 73 e of the Charter in respect of Puerto Rico*.
- United Nations General Assembly Resolution 1514. (1960). *Declaration on the Granting of Independence to Colonial Countries and Peoples*.
- United Nations General Assembly Resolution 1541. (1960). *Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73e of the Charter*.
- United Nations General Assembly Resolution 41/41, (1986). *Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples*.
- US Constitution, Article IV § 3.
- Veenendaal, W. P. (2015). The Dutch Caribbean municipalities in comparative perspective. *Island Studies Journal*, 10(1), 15-30. <https://doi.org/10.24043/isj.318>
- Vézina, V. (2014). The role of the political system in shaping island nationalism: A case-study examination of Puerto Rico and Newfoundland. *Island Studies Journal*, 9(1), 103-122. <https://doi.org/10.24043/isj.296>