

PRIVATE LAW RESEARCH GROUP PUBLIC SEMINAR

French Private Law in the South Pacific: 75 Years after Decolonisation

Professor Eric Descheemaeker
University of Melbourne

Friday 5 August 2022, 12.00nn to 2.00pm (SGT)
Lee Sheridan Conference Room, NUS Law (Bukit Timah Campus)

France has had territories in the South Pacific since the 19th century. French Polynesia was colonised in 1842, New Caledonia in 1853, and Wallis and Futuna in 1888 (the New Hebrides being an Anglo-French condominium from 1907-80). Institutionally, the turning point was 1946, when these territories ceased being colonies or protectorates, and were integrated into the French Republic. Over the last 40 years, since the “Events” in New Caledonia (culminating in a quasi-civil war in the 1980s), the French government has responded by an unprecedented process of devolution of powers, which has affected private as well as public law. 75 years after decolonisation, the private law of these territories diverges more starkly from the “common law” of the country than ever before. This paper will set out and contextualise some of these changes, in terms of substance and sources, before offering some – sceptical – remarks about the ability of private law to effectuate the desired “decolonisation”.



ABOUT THE SPEAKER

Eric Descheemaeker is a Professor of Law at Melbourne Law School. He has published widely on the English and Anglo-Commonwealth law of torts (in particular defamation and privacy), and the law of remedies (in particular compensatory damages). He is also interested in aspects of the Roman-French tradition, in particular unjustified enrichment and the law of French overseas territories.

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