

HISTORY OF THE PACIFIC JUDICIAL CONFERENCE

*Judge Richard Clifton**

I am honoured to have been invited to attend this Pacific Judicial Conference. I thank President Aimot for the invitation and for the opportunity to bring you up to date on the progress of the Pacific Judicial Conference history project.

I am a member of the Pacific Islands Committee for the US courts, the committee that was chaired for many years by Judge Clifford Wallace and is currently chaired by Judge Consuelo Marshall, both of whom are here at this year's Conference. Many years ago, the committee commissioned the preparation of a history of this Conference. The purpose of the project was to make a better and more accessible record of past Conference meetings in hopes of retaining and benefiting from the thoughts and lessons from previous discussions. We were especially interested in accomplishing that while participants from the earlier Conferences were still available.

As I reported to you two years ago in Tonga, our committee was not very satisfied by the first draft of such a history, prepared for us by Dr Gerald Berkeley-Coats, a PhD in history who is now at Virginia Tech University. It was a dry factual recitation, basically limited to stating when and where Conference meetings were held, who spoke, and on what general subjects. There was little effort to look across time to identify ongoing concerns, for example. Also, our committee had heard of concerns, after Dr Berkeley-Coats spoke at the 16th Pacific Judicial Conference in Vanuatu about the accuracy of some of his understandings. So the committee decided to continue its efforts with hopes of obtaining a more useful product.

Fortunately, Professor Jon Van Dyke, a distinguished professor at the University of Hawaii Law School agreed to help with the history project. Professor Van Dyke has done substantial work with several states in the Pacific. He attended the 2007 Conference in Tonga and spoke with many of you in connection with his research.

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Professor Van Dyke is present for this year's Conference as well. He has prepared a working draft of a Conference history. Before it is formally published, he would like to benefit from thoughts or suggestions you might have. A copy of the working draft has been circulated to you, and Prof Van Dyke joins me in asking that you review it and provide him with any comments. We invite you to speak with him in person this week. You can also send written comments to him via email to: jvandyke@hawaii.edu.

We anticipate that the final version of the history will be published, probably in a university law review or other academic journal, within the next year. We will try to keep you advised on that.

So that there is no misunderstanding, I should note for the record that the draft history report expresses the conclusions and opinions of Professor Van Dyke and not necessarily those of the Pacific Islands Committee or its members. That is the usual practice with academic research in the USA. As a result, although the committee helped to obtain the funding to cover project expenses, the report has not been subject to its review and approval. Speaking only for myself, though, based on my own reading of the draft, it has helped me learn from the discussions at previous Conferences. Thus, I think it makes a very useful contribution.

We hope that you and others who attend this conference in future years will also find it useful in learning from past discussions and charting the future course of the Pacific Judicial Conference. Thank you.