
Jessica Lynne Pearson

Macalester College

Follow this and additional works at: https://digitalcommons.macalester.edu/histfacpubs

Part of the Diplomatic History Commons

Recommended Citation
https://digitalcommons.macalester.edu/histfacpubs/1

This Article is brought to you for free and open access by the History Department at DigitalCommons@Macalester College. It has been accepted for inclusion in Faculty Publications by an authorized administrator of DigitalCommons@Macalester College. For more information, please contact scholarpub@macalester.edu.

Jessica Lynne Pearson


To link to this article: https://doi.org/10.1080/03086534.2017.1332133

© 2017 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group

Published online: 31 May 2017.

Submit your article to this journal

Article views: 2181

View Crossmark data

Citing articles: 2 View citing articles

Jessica Lynne Pearson

Macalester College, St. Paul, USA

ABSTRACT

This article argues that, although anti-colonial delegations to the 1945 San Francisco Conference did not succeed in bringing all colonial territories under the umbrella of international trusteeship, the threat of expanding international oversight shaped the relationship between colonial governments and international organisations in powerful ways. By focusing on how the UN Special Committee on Non-Self-Governing Territories evolved as a de facto supervisory system for dependent territories, this article considers the ways that representatives at the United Nations defined dependency and self-government and explores the crusade that colonial governments led to justify imperialism in the post-war world. Through a consideration of the diplomatic actions of France, Great Britain and Belgium, this article explores the ways that colonial empires jointly mobilised to defend colonialism at the level of the United Nations. In the face of evolving supervisory mechanisms at the United Nations, the French, British and Belgian delegations joined forces in an attempt to expose some of the inherent contradictions in UN policy towards dependent populations, and to make the case that subject populations living in independent territories often endured worse conditions than those living in formal overseas empires.

Keywords

Colonialism; decolonization; United Nations; international organizations; non-self-governing territories

‘Colonial’ questions are becoming more and more important in international affairs. In many cases ‘anti-colonialism’ is merely a cover for intense racial feeling, a colour prejudice in reverse which reflects the resentment of the darker peoples against the past domination of the world by European nations. In all cases ‘anti-colonialism’ is based on emotion rather than on reason, on misconceptions instead of a correct appraisal of the facts. (Sir Alan Burns, In Defence of Colonies, 1957)

In the introduction to his 1957 treatise In Defence of Colonies, Sir Alan Burns, the former British representative to the United Nations Trusteeship Council,
lambasted the United Nations for the role he believed it played as a forum for international anti-colonial manoeuvrings. Burns, who had spent 42 years of his career in the British Colonial Service, claimed that much of the negative press that colonial empires had generated in the post-war period was a result of a lack of understanding about conditions in those territories and about the conditions in independent countries in the developing world. According to Burns, ‘the subject people living in the British Empire have greater liberty and better conditions of living than many of the inhabitants of independent countries’. He argued that ‘the severest criticisms of “colonialism” come from the representatives of nations whose treatment of indigenous peoples is deplorable, and whose governments are the most notorious for tyranny, inefficiency, or corruption.’ While Burns characterised himself as an avid supporter of many UN projects in the 1950s, he argued that, when it came overseeing colonial governance, the organisation had done much more harm than good. The UN, he believed, had become a privileged space for anti-colonial parties to express and agitate on behalf of fundamentally misinformed views.1

Burns was not alone in his scathing indictment of the United Nations and the role that many anti-colonial delegations hoped it would play in precipitating the end of colonialism in the post-war period. His book was reflective of broader fear among colonial administrators that the UN would prove to be a key instigator of empire’s undoing, especially when coupled with the threat of nationalist movements within the colonies themselves. In a 1950 report, for example, one French colonial administrator wrote that the French now found ‘themselves to be simultaneously in a position of judge and defendant before the tribunal that is the United Nations, defending a project of which those participating know very little concerning the conditions and merits’.2 In 1954, Belgium’s ambassador to the United Nations, Fernand van Langenhove, penned his own denunciation of what he considered to be the UN’s discriminatory policies towards colonial territories. In The Questions of Aborigines before the United Nations: The Belgian Thesis, van Langenhove accused the United Nations of unjustly criticising the treatment of dependent peoples in ‘non-self-governing’ (colonial) territories, while exempting independent countries from the same level of scrutiny.3 Much of the disparagement put forth by colonial governments amounted to little more than off-colour remarks, like Burns’ assertion that petition-writing to the Trusteeship Council had become ‘a national sport in tropical Africa’.4 Some of their criticisms, however, pointed to very real shortcomings in the UN apparatus for protecting dependent peoples living in territories not under colonial rule.

This article explores the narrow path that European empires navigated between a growing commitment to internationalism in the post-1945 period and an attempt to maintain colonial autonomy in the face of evolving supervision by the United Nations and the broader global community. It explores the fears and uncertainties surrounding the role that the UN would come to play
in the unravelling of European colonial empires and argues that the Special Committee served as a privileged forum for both colonial and anti-colonial delegations to the UN to engage in a 15-year battle over who had the right to speak on behalf of colonial populations on the international stage. While the earliest studies of decolonisation centred on the role that nationalist movements within colonial territories played in toppling imperial rule, more recent scholarship has attempted to look beyond the binary of colony/metropole to ground the end of empire in the broader history of internationalism and international institutions in the twentieth century.⁵

Much of this recent scholarship has focused on the way that the international community dealt with the League of Nations mandates—and, later, the UN Trust Territories, the colonies that were inherited from the vanquished nations in the First and Second World Wars. Works by historians such as Susan Pedersen and Meredith Terretta, among others, trace the slow evolution of international colonial oversight for this select set of colonial territories. In her recent global history of the League of Nations Permanent Mandates Commission (PMC), Pedersen argues that the PMC served as an important international forum for discussions about the rights and responsibilities of European governments vis-à-vis their colonial populations. But, as Pedersen explains, the internationalisation of colonialism did not necessarily indicate a growing commitment to anti-imperialism. Rather, many representatives to the PMC advocated on behalf of empire, rather than on behalf of the rights of local populations. While the Mandates Commission did provide an avenue of communication between the League and people living under colonial rule in the mandated territories, the benefits that this forum conferred were tenuous at best. Sometimes the mandates system, Pedersen argues, actually made colonial rule worse. Mark Mazower, in his work on the United Nations and colonialism, similarly warns against reading too much optimism back into the potential of the UN to serve as an advocate for the world’s most oppressed and downtrodden. Through his exploration of the role that characters like South African statesman Jan Smuts played in the creation of the UN, Mazower aims to show the ways that many people in the postwar era saw the UN—like the League—as a way to preserve empire, not to dismantle it.⁶

But, if certain politicians, journalists and activists were pessimistic about the possibility that the UN would come to play a decisive role in shepherding dependent territories into a new era of normative statehood, many representatives from colonial governments feared that the vague wording of the United Nations Charter had in fact created an notable loophole for delegations from independent nations in the global south to advocate on behalf of still-colonised territories in Africa, the Middle East and Asia. The debate between colonial governments and the ‘anti-colonial bloc’ focused on chapter XI of the United Nations Charter, the ‘Declaration Regarding Non-Self-Governing Territories’. According to one UN publication, this chapter
was to be the ‘first international declaration of principle for all dependent territories of the world’. Short of establishing an official system of international supervision for colonial territories—akin to the system that the UN Trusteeship Council provided for international trust territories—it laid the foundation for an *unofficial* structure for international oversight. The most seemingly benign element of chapter XI was article 73(e), which stipulated that colonial governments would provide regular reports on conditions in their colonies. It was this article, however, that became the subject of some of the most acrimonious debates and the body that was eventually created to process those reports—the UN Special Committee on Information from Non-Self-Governing Territories—would ultimately become an important battleground for the clash over the fate of empire that would unfold in the United Nations over the course of several decades.

**Article 73: A Sacred Trust or a Legal Obligation?**

Before the delegates from the 50 ‘united nations’ met in San Francisco in April of 1945 to draft the charter of the new United Nations Organization, representatives from a select number of interested nations had gathered to discuss the transfer of the League of Nations Mandates system to the UN, and the possible role that the new organisation could eventually play in overseeing all colonial territories. If certain, more self-assured, representatives like Jan Smuts had no reservations about the role that the new United Nations Organization could play in keeping the world safe for empire, other delegates to the San Francisco conference were less confident about their ability to guarantee their sovereignty in their overseas territories in the face of possible international ‘interference’. The French delegation, for its part, worried about mounting criticism of France’s imperial system from both the Soviet and the American press, and went as far as to state in its official position paper on the eve of the conference that, when it came to the French empire, ‘at San Francisco, France is gambling its definitive fate’. French officials feared that they might be pressured by the American government to give up all of their overseas territories, or that the principle of trusteeship might be applied to all colonies, rather than just the mandated territories that the UN would inherit from the League of Nations.

In February 1945, an article in *The American Mercury* by Geneva—‘a pseudonym of a specialist in international affairs … whose present relations with European governments will not permit him to write under his own name’—outlined a model for this new international system of colonial oversight. While the League’s mandates system applied only to a select group of colonial territories—the remnants of the German and Ottoman empires—Geneva proposed a system in which *all* colonial territories could potentially be brought under the umbrella of international trusteeship. According to the article,
There is no reason why the principle of international supervision should be confined to the former mandates of the League… Imperialism is imperialism whether it is old or new, and the daily routine violence necessary to maintain old tyrannies is almost as inexcusable as new aggression.10

It was this potential extension of the mandates system to all colonial territories that French officials feared the most.11

The delegations to the San Francisco Conference straddled the line between advancing the internationalisation of imperial governance and refusing to take a definitive stand on the colonial question altogether. The result was a document whose commitment to decolonisation was, at best, ambiguous. Chapters XII and XIII of the charter—based on an American draft proposal—focused on the role that the Trusteeship Council would play in governing UN Trust Territories, while chapter XI outlined a list of general guidelines for the governance of those colonial territories that did not fall under the umbrella of UN Trusteeship. According to this chapter, which was based on a British draft proposal,

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost … the well-being of the inhabitants of these territories.

To ensure this commitment to people in non-self-governing territories, member states with colonies, or administering members, agreed to ensure ‘their political, economic, social advancement, their just treatment, and their protection against abuses’. They also promised to ‘develop self-government’ and to ‘take due account of the political aspirations of the peoples’, and committed to ‘promote constructive means of development, to encourage research, and to cooperation with one another and … with specialized international bodies’.12

In order to ensure that colonial governments were keeping their promises of good governance, article 73(e) obligated them to ‘transmit regularly to the Secretary-General for information purposes, subject to such limitations as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and education conditions in the territories’.13 While the concept of reporting on conditions in colonial territories was not new, it had been previously employed only for the mandates territories under the League’s system, and was now to be applied on a much wider scale.14 While the new requirement to submit information was unsettling to some of the colonial delegations to the conference, many officials took comfort from the fact that, in their view, this ‘Declaration’ was to operate merely as a set of guidelines. According to the authors of a 1948 publication entitled What the United Nations is Doing for Non-Self-Governing Territories, the purpose of these reports was to provide the United Nations with ‘a factual basis for keeping informed on the well-being and advancement of peoples of
its Member states’. This was to be a system of ‘international accountability’, which the authors contrasted with the system of ‘international supervision’ that had been instituted by the Trusteeship Council.\textsuperscript{15}

Some interpreters of the charter, however, hewed more closely to the view that this represented a contractual obligation to the international community, and not one that could be subject to the various interpretations of individual colonial governments. In his 1949 study, \textit{Non-Autonomous Territories and the United Nations Charter}, French legal scholar André Mathiot took up the question of the nature of France’s obligation under article 73. As Mathiot explained, the confusion over whether the requirement to submit information on behalf of non-self-governing territories was ‘juridical’ in nature, ‘or simply moral’, was a function of the unclear terms of the charter itself. For Mathiot, the requirements set forth in article 73(e) represented a legal contract. He reminded his readers that, according to article 73, ‘the Members of the United Nations accept the obligation … to assure the progress of dependent populations’. This, he explained, ‘is the language of law. This is not a case of moral duty or a simple declaration of good intentions. The [colonial] powers … have made a commitment vis-à-vis International Society.’\textsuperscript{16}

If the provisions of article 73 were not in fact a legal obligation, argued the Philippines representative to the Fourth Committee of the General Assembly in 1946, the framers would not have bothered including chapter XI at all. Proponents of a more rigid interpretation of article 73(e) argued that the obligation to transmit information about colonial conditions was not only a legal one, but also \textit{necessary} in order to ensure that administering members were in fact upholding the obligations set forth in the rest of the chapter. In later years anti-colonial delegations such as those hailing from Egypt, India, Indonesia, the Latin American states and the Soviet Union also advanced the claim that the Assembly should be endowed with the capacity to offer general recommendations about how administering members could best fulfil these obligations.\textsuperscript{17}

The colonial delegations to the UN—not surprisingly—took a very different approach. They argued that by omitting a stipulation for a body responsible for administering non-trust dependent territories, the framers of the charter were explicitly rejecting the creation of a supervisory role for the UN in colonial territories that did not fall under the purview of international trusteeship. Nothing in the UN Charter, argued representatives from the French Ministry of Affairs, gave the UN ‘a right of visibility’ into the inner workings of dependent territories.\textsuperscript{18} Moreover, they argued, dependent territories figured squarely in the internal affairs of the metropolitan government, in which article 2(7) of the charter prohibited the UN from interfering.\textsuperscript{19}

According to the French Ministry of Foreign Affairs, the insidious extension of UN jurisdiction in matters relating to dependent territories constituted a mission of revenge by the newly independent states like India and Indonesia. One official wrote: ‘These newcomers, once under the dependence of the
West … have a double preoccupation: to assure themselves the role of judge before our accused and uneasy civilizations’ and ‘to boast of their own modern and innovative spirit in the face of our old, outmoded system’. The goal, he wrote, was both to ‘humiliate their old masters’ and to ‘deprive them of what remained of their overseas possessions’. French officials also saw the slow extension of the UN’s role in colonial matters as retaliation for anti-colonialists’ failure at San Francisco to bring all dependent territories under the umbrella of international trusteeship. An internal report from the French Ministry of Foreign Affairs argued that the ‘real goal, if unstated,’ of the recommendations proposed by the Special Committee on Non-Self-Governing Territories was to create ‘a system of control comparable, mutatis mutandis, to the system that the Charter had created for territories that fell under the regime of international trusteeship’.21

Others within the French administration unequivocally denied the relevance of the legal debate, stating that under no circumstances could the territories of the French Union be considered to be non-self-governing. In a letter from the Ministry of Overseas France to all of the high commissioners of France’s territories, Technical Commissioner Daniel Pepy wrote on behalf of the minister in 1952 that he had asked the members of the French delegation to the Special Committee to remind the other members ‘that our overseas territories are an integral part of the French Republic … and that they participate in the exercise of national sovereignty’. Pepy then noted that, ‘if we continue to provide to the UN information stipulated by article 73(e) of the charter, it is out of pure courtesy and not to satisfy any international obligation’.22 These views were echoed by the British and Belgian delegations, which had similar reservations about the constitutionality of the committee’s work.23

**Negotiating Oversight at the United Nations**

As the debate about the legal nature of the charter’s requirements dragged on, proponents of a more literal reading of chapter XI began to work on the establishment of a body to implement its provisions, a body that colonial representatives would fight each step of the way. Because the charter made no stipulations regarding the way the data should be collected or what could be done with it, it fell to the General Assembly to convene a special group that would be charged with the task of thinking through the practical questions.\(^{24}\) For example, how could information be collected in a way that would facilitate comparisons between territories under different colonial administrations and in different geographic locations? What could the secretary general do with the information that was collected? What sort of recommendations was the General Assembly able to establish based on the information collected? Other questions were more political in nature and thus more contested by representatives from colonial governments: under whose jurisdiction did it fall to decide which territories
were self-governing and which were not? What criteria should be used? And, if information on political participation was not required under the charter, could the General Assembly encourage states to submit this information voluntarily?

To address these questions, the General Assembly elected to form an ad hoc committee for the years 1946–47, and then replaced this body with the Special Committee on Information Transmitted under article 73(e) of the charter, which had a one-year term. The committee, which met for the first time in Paris in September of 1948, was made up of 16 member states of the United Nations: the eight members that held colonial territories and a rotating cast of eight ‘non-administering’ members. The committee was assigned the task of examining ‘the information transmitted … on the economic, social and educational conditions in the Non-Self-Governing Territories’ and submitting ‘reports thereon for the consideration of the General Assembly with such procedural recommendations as it may deem fit, and with such substantive recommendations as it may deem desirable relating to the functional fields generally, but not with respect to individual territories.

While the committee’s assignment seemed relatively benign, from its first sessions some representatives attempted to push its work beyond its mandate of reviewing reports and submitting general recommendations to the UN General Assembly, prompting representatives from colonial governments to fear that the committee was indeed taking on a life of its own, outside the bounds of what was outlined in the charter. According to a 1956 report from the French Ministry of Foreign Affairs, at the hands of ‘states hostile to all forms of dependence and in favour of the complete emancipation of all territories under the administration of another power’, the UN Special Committee rapidly expanded its involvement in colonial politics during the first few years of its existence. The resolutions passed, according to the French report, ran the gamut from those with ‘irritating’ effects for the colonial delegations to those that ran counter to the stipulations of article 73 of the charter. The most contentious debates surrounded the creation of a permanent committee, the transmission of information on political participation and human rights and the definition of self-government.

The first question that the ad hoc committee had to confront was the status of the committee itself. Representatives from the colonial governments had originally envisioned a temporary body that would deal with the initial questions of how to collect the information and what to do with it. Pressure from the anti-colonial faction, however, resulted in a compromise that created a de facto permanent committee with a sphere of influence that grew with each passing year. During the first meeting of the Special Committee in 1948, the Indian and Soviet delegations were adamant about the need to create a permanent committee—with the argument that as long as there were dependent territories in the world, there would be a need for such a body. Representatives from the colonial governments, however, argued that the creation of a
permanent committee was unconstitutional, since the UN Charter made no
mention of such a body. The Soviet proposal to create a permanent oversight
institution was rejected in favour of renewing the committee’s mandate for
another year. The colonial delegations hoped that within this time frame the
committee’s members could finalise the parameters for collecting information
and agree on a standard intake form that government officials could use.

The debate continued in 1949 when the Special Committee came up for
renewal and representatives found themselves once again facing the question
of whether the United Nations had the right to create a permanent system of
colonial oversight that had not been anticipated by the organisation’s founders.
The French, British and Belgian delegations favoured the renewal of the commit-
tee for a maximum mandate of one year—in order to finalise the procedures for
information collecting. They reminded their colleagues that analysis of the infor-
mation and policy recommendations were not part of the committee’s mandate.
The Venezuelan delegation countered that it was unlikely that the framers
intended that ‘the information which was transmitted under Article 73(e)
should be hidden away in the archives of the Secretariat’. Representatives
from China, the Soviet Union and India argued that the creation of a permanent
body held a certain psychological importance for people living in colonial terri-
tories, and failing to do so would send the message that the United Nations was
not willing to hold colonial governments accountable for their obligations under
the charter.

The US delegation took a position between these two extremes and proposed
a committee with a three-year mandate, which would focus on a different sub-
stantive policy area each year: education during the first, economic policy during
the second and social development during the third. When the proposal for a
permanent committee was rejected by an eight-to-six vote, the anti-colonial del-
egations lent their support to the American proposal. Although the colonial gov-
ernments had succeeded in preventing the establishment of a permanent
committee, in many ways the Special Committee with a renewable three-year
mandate would come to serve as a de facto system of colonial oversight whose
work resembled that of the UN Trusteeship Council in several important
ways. Although the colonial delegations to the UN had hoped the vague
wording of the charter would protect them from international ‘interference’ in
colonial affairs, the body that emerged from article 73(e) was much larger in
scope than the committee that they had originally envisioned and its semi-per-
manent status would ensure that the inner workings of their empires would
remain accessible to a broad global public on an ongoing and regular basis.

Collecting Data, Promoting Visibility

If the idea of creating a permanent or semi-permanent committee to oversee
conditions in colonial territories generated a great deal of controversy at the
UN, so too did the debates about what kinds of information the organisation would be able to collect. If, for example, the UN was allowed to collect data on categories like health and economics, could it also gather information about a colony’s evolution towards self-government or about the prevalence of human rights abuses? While the UN Trusteeship Council had created a direct link between the UN and populations in a limited set of colonies, the only way that dependent populations in non-trust territories could make their voice heard in an official capacity at the UN was through the data that were shared on their behalf.

In 1946, governments had the option of submitting any information they wished about conditions in their colonial territories. The following year, in 1947, the ad hoc committee crafted a standard form that required detailed information to be submitted on a wide range of topics related to education, economic policy and social development. These data ranged from areas as diverse as the number of fisheries operating in a given territory to the instances of malaria recorded each year. Suggestions by the anti-colonial delegations to expand the scope of the standard form were met with strong opposition from the French, Belgian and British delegations. Indeed, one of the most politically charged questions of the early committee meetings was whether the administering members should be encouraged to voluntarily submit information regarding political participation and human rights in non-self-governing territories. A resolution passed in the second meeting of the General Assembly in 1947 noted that some states had already included information in this category in their reports to the secretary general and, given that this information was ‘entirely in conformity with the spirit of Article 73 of the Charter’, it ‘should therefore be duly noted and encouraged’.36

Representatives from the French, British and Belgian governments reminded the other delegations at the first meeting of the Special Committee that no such information was required by the charter, and, as such, their governments were ‘not prepared to discuss political or constitutional matters affecting the relations between Non-Self-Governing Territories and the metropolitan countries, either in the Committee or any other organ of the United Nations’. The collection or discussion of such material was—according the colonial delegations—unconstitutional *vis-à-vis* the charter, which only called for information on social, economic and educational policy.37 The collection of this information, they claimed, also violated the clause of the UN Charter that prohibited the organisation from interfering in questions of national sovereignty.38 In an internal memo to the Ministry of Foreign Affairs, the French delegation claimed that a decision to include information on human rights in the standard form (and allowing the committee to discuss such matters) would, ‘without a doubt, have the effect of further opening up this organism to all possible manoeuvres of anti-colonial demagoguery’.39

While the colonial delegations were fighting against even the voluntary transmission of political information, the Egyptian, Indian and Soviet delegations
were making the case for the mandatory submission of political data. The Indian representative noted that information about the political situation in colonial territories was necessary in order to understand any progress that was being made in the areas of economic, social and educational policy. The Soviet delegation went as far as to propose amendments to the committee’s resolutions to allow it to hear petitions from people in non-self-governing territories, and to conduct on-site visits, which were both functions performed by the UN Trusteeship Council for the territories in its charge. The Soviet representatives also suggested an amendment that would require states to transmit information on political conditions and human rights.

In response to these suggestions, the Australian delegation reminded the non-administering members that in exchange for the colonial governments’ acceptance of the obligation to transmit information, the committee had agreed to respect the limitations of the charter. The Australian delegation also reminded them that the charter ‘recognized the full authority of the Administering Powers and their ability and willingness to carry out the policies of Chapter XI without the need of supervision’. Still, in an attempt to send a clear message to people living in colonial territories that the UN was committed to ensuring their just treatment, the committee passed a resolution stating that voluntary transmission of political information should be encouraged. The Soviet amendments were all rejected as inadmissible, although the anti-colonial delegations would continue to push for the inclusion of political information in subsequent meetings.

With respect to the question of human rights, in 1951 the committee adopted a resolution requesting all administering members to submit information on the status of human rights in their territories, although it was not required. Based on the recommendations of the sub-committee charged with revising the standard form, an optional category was officially introduced which included information such as the participation of indigenous peoples in local government bodies and the use of technical assistance from the UN and its subsidiary bodies in pursuit of the goal of social and economic development. The committee also decided that it would consider the formulation of recommendations on promoting human rights in the non-self-governing territories. In addition to the optional data on political participation and human rights, the revised standard form required governments to submit data on economic conditions (including agriculture, industry, trade and banking), social development (human rights, labour, social security and welfare and public health), and education (educational administration, the structure of the educational system and cultural institutions). In every aspect of the above categories, the administrations were asked to demonstrate the participation of indigenous persons in every aspect of social and economic life.

The expanding scope of the data that colonial governments were required to provide to the United Nations was, in the eyes of many government officials, an
extension of UN jurisdiction that went beyond the bounds of what the charter had authorised. One French colonial health official bemoaned the ‘inquisitorial nature’ of the standard form. Although the simple transmission of data from colonial territories to the UN might have paled in comparison to the more formal channels of oversight that the Trusteeship Council established for international trust territories, the expansion of UN supervision over all areas of the dependent world constituted a very real shift in international colonial policy. For the first time in history, the inner workings of colonial empires were now subject—in a regular and regulated fashion—to the scrutiny of the broader international community. Moreover, at a time when the fate of colonialism seemed increasingly uncertain and newly independent nations were joining the United Nations in growing numbers, the right of colonial governments to speak—exclusively—on behalf of colonised peoples felt to many European colonial officials to be in serious jeopardy.

**Defining Self-Government and Dependency**

Beyond its role in generating important data that could be used in critiquing colonial rule, the UN Special Committee also quickly became embroiled in debates about the definition of self-government and the role that the UN would play as an arbiter of the process of decolonisation. If the goal of providing data was to demonstrate measurable progress towards self-government, the charter had left several very important questions unanswered: what was self-government? How did one know when it had been achieved? And who ultimately was responsible for declaring that the process had been completed: the former colonial government, representatives from the formerly colonised population or the broader international community? If the exact nature of self-government was difficult to define, so too was the definition of dependency. The United Nations Charter defined dependent territories as those which had ‘not yet attained a full measure of self-government’, but this definition proved to be a slippery one as delegates to the UN General Assembly became quickly locked in a debate about which territories chapter XI of the charter applied to. In initial discussions, some argued that it was within the jurisdiction of the General Assembly to enumerate the territories to be included in article 73, while the colonial delegations claimed that that task fell unquestionably to the metropolitan governments concerned.

The question re-surfac ed on a continual basis throughout the two decades following the war, as constitutional changes within colonial empires changed the status of dependent territories within those empires and government officials took it upon themselves to cease transmitting data to the UN on behalf of those territories. Over the course of 1948–49, Britain, France and the United States had ceased to transmit information on behalf of several territories. As a result, the General Assembly requested that governments transmitting...
information keep the Assembly apprised of any constitutional changes between dependent territories and metropolitan governments. During that year’s meeting of the Special Committee, the Egyptian delegation brought up for discussion a communiqué issued by the French government that stated it was squarely—and exclusively—within the jurisdiction of the metropolitan government to determine the constitutional status of a dependent territory.

The Egyptian representative countered that, while this may have been true prior to the creation of the United Nations, changes in international law following the war had instituted the principle of international accountability, whereby the UN could not abandon its obligations to a dependent territory simply because the metropolitan government had stopped transmitting information on its behalf. The Egyptian position was supported by the Soviet delegation, which proposed a resolution stipulating that no colonial government would be allowed to stop transmitting information on behalf of a dependent territory until the Special Committee had had sufficient time to consider the constitutional changes involved, and after it had submitted a recommendation to the General Assembly that the obligations of article 73 be suspended with regard to that territory.48

Although the proposal was rejected, in 1951 the General Assembly passed a resolution granting the Special Committee authorisation to examine criteria by which such territories could be judged to have attained self-government. According to the guidelines set out by the committee, there were two means for a dependent territory to achieve self-government. First, it could integrate itself (at the request of its people) more closely and on equal footing with the metropolitan government that had been responsible for its administration. Second, it could achieve political independence, which would in turn be recognised by the international community as an entity constitutionally separate from the former administering power.49 The Special Committee proposed a set of general principles that could be used to establish whether or not a territory had achieved self-government. These included, but were not limited to, a legal association with another metropolitan country, a shared language, culture, religion and ethnicity, the free expression of public opinion in the context of a democratic political process and universal and equal suffrage. The committee also emphasised the importance of a sufficiently developed economy and a set of social and educational policies that would allow a formerly dependent territory an effective means of self-administration.50 In 1952 the General Assembly accepted the guidelines created by the Special Committee and ruled that any cases would be decided on an individual basis using those guidelines.51

As colonial governments confronted the UN’s evolving role in supervising their dependent territories, they did what they could to redefine the terms of the debate, both in the Special Committee and in the General Assembly. They did this by questioning what they saw as the UN Charter’s inherent bias against formal overseas empires and its failure to protect dependent populations
in independent territories. In Burns’ 1957 book, he denounced new post-war imperialism, in both its Soviet and American forms. He condemned what he called ‘internal colonialism’, a form of rule that he claimed existed both in Latin America and the United States, wherein ‘an educated minority … controls the indigenous population’. He cited the case of the Amerindian populations of Latin America, ruled by those of Spanish descent, as well as that of the Native Americans in North America. Burns also noted that, in many instances, overland empires involved many of the same mechanisms of rule as overseas empires, noting that ‘the victims of Soviet expansion are certainly less “free” than the inhabitants of British colonies’.52

Those delegations that condemned overseas empires, argued Burns, had fallen prey to what he called the ‘Salt Water Fallacy’. This, he explained, citing a 1947 speech by Sir Hilton Poynton, was

the fallacy that whereas expansion by a country over land, and the incorporation of large areas of territory inhabited by other races and peoples in apparently perfectly praiseworthy, the extension of one’s jurisdiction over sea is stigmatized in certain quarters as ‘Colonial imperialism’, ‘oppression of subject races’, and so forth.

Returning to the question of colonial sovereignty, Poynton had argued

We recognize Soviet sovereignty over the whole vast area of the Soviet Union, built up by expansion over land, and forming a single unit. But equally we must insist that the British Colonial Empire, although split up by intervening oceans, is every bit as much a single international entity as the Soviet Union.53

Representatives from colonial governments advanced the argument that the United Nations Charter protected dependent peoples living only in certain types of territories, thereby abandoning those groups living in territories that did not fit the ‘traditional’ model of a colonial empire. A 1953 statement by Joseph Nisot, acting Belgian representative to the General Assembly, called the interpretation of the term ‘non-self-governing territories’ arbitrary, explaining that

the obligations set forth in Chapter XI of the Charter apply to all Territories whose peoples are not yet completely self-governing. They are scarcely less general than those which derived from article 23(b) of the Covenant of the League of Nations, under which members undertook to ‘secure just treatment of the native inhabitants of territories under their control.’

The result of an overly restrictive interpretation of article 73, he claimed, has ‘been to deprive a large part of these peoples of the international guarantees which they formerly enjoyed’.54

Pierre Ryckmans, governor of the Belgian Congo and Belgian representative to the Trusteeship Council, argued in a speech that Belgium’s refusal to participate in the work of the Special Committee had nothing to do with a desire to deny the authority of the UN in dependent territories:
Far from wishing to restrict these principles, we wish on the contrary that they should be respected in their fullest meaning. Far from defending a restrictive interpretation we declare ourselves in favour of a wide interpretation in conformity with the humanitarian spirit which should dominate our Organization.\textsuperscript{55}

This claim, which came to be known as the ‘Belgian Thesis’, was undoubtedly connected to the Belgian government’s desire to shield human rights abuses in its African colonies from international criticism. But the point the Belgian delegation raised about the problem of indigenous populations in independent territories is an important and interesting one. Living conditions, according to the colonial delegations, had nothing to do with a territory’s political status, but everything to do with its position in broader patterns of development. Burns argued that

inhabitants of many independent countries—and not only those who live under communist rule—enjoy much less freedom than do those who live in British colonies, less freedom of speech, of religious belief, of the Press, and less security from arbitrary arrest and imprisonment.\textsuperscript{56}

\textbf{Defending Empire in the Cold-War Context}

As colonial officials worked to shield their overseas empires from the expanding scope of international supervision, they carefully manipulated terms like ‘self-government’ and ‘dependency’ to demonstrate the ways in which the organisation fell short of its own ideals when it came to inequality and violence in non-colonial contexts. Beyond this effort to redefine the terms of the debate, representatives from French, British and Belgian colonial and foreign ministries also engaged their diplomatic connections with the United States to make their case at the UN. Although these members understood the extent to which anti-colonialism permeated American public opinion, they also understood that the US had strategic interests in preserving European empires in Africa. Although the American representatives to the Trusteeship Council and the Special Committee were clear about their support for the idea of self-determination, they also feared that the potential fragmentation of the African continent would leave it open to the influence of the Soviet Union, a fear that colonial representatives hoped they could use to their advantage.\textsuperscript{57}

As early as 1948 the US government had attempted to form a coherent position on European empires. These early discussions crystallised around the idea of formulating a ‘colonial policy paper’, an idea proposed by Phillip C. Jessup, acting chief of the United States Mission to the United Nations. The idea was passed around the State Department by Dean Rusk, director of the Office of UN Affairs, and in September of 1948 William L. Yeomans, from the Division of Dependent Area Affairs, drafted the paper, entitled ‘Summary of United States Policy on Non-Self-Governing Territories’. Yeoman’s brief report later became a full policy paper entitled ‘US Policy toward Dependent Areas’.\textsuperscript{58}
As conditions in the Special Committee worsened in 1949 and 1950 and tensions between administering and non-administering members grew, the need to articulate a consistent US approach to European overseas empires was becoming increasingly pressing.58

From the perspective of the American government, the US found itself in the difficult position of having to navigate a relationship with both its long-term European allies and the multitude of newly independent states, relationships that had ‘a significant bearing on US security’.59 Indeed, in the minds of some colonial administrators, the US—although technically an administering power itself—posed one of the biggest threats to European empires, especially given its history and the weight that it carried at the United Nations. An internal memo from the French Foreign Ministry went as far as to state in 1945 that ‘the colonial problem is one of the only questions … in which the American attitude runs completely contrary to that of France.’60

Both French and American documents emphasised the role that American historical tradition played in shaping the American position on empire. In a 1955 paper on the American attitude towards European colonialism, Benjamin Gerig, the chief of the Division of Dependent Area Affairs for the State Department, wrote:

No true American can fail to thrill as he re-reads the ringing words of the Declaration of Independence—words which define a philosophy of freedom from alien rule as true and fresh today as when they were first asserted. These words have reverberated around the world and have set the goal for millions of people who rightly look to the United States for leadership in the unceasing struggle for individual and national freedom.61

The State Department policy paper ‘US Policy Towards Dependent Areas’ had made a similar claim in 1950, noting that ‘confronted by a colonial issue, the average American will, as if by instinct, favour the peoples of a colonial power against their European rulers’.62 French analyses of the foreign press echoed this interpretation of the origins of American anti-colonialism, stating that ‘the American people, born of an anti-colonial revolution, are hostile to colonies by tradition’.63

In the context of the Cold War, however, US fears of Soviet expansion trumped the American ideological commitment to supporting self-government in colonial territories, and the result was a surprisingly moderate position on the recommended timeline for decolonisation. In a 1956 State Department Bulletin, George Allen, assistant secretary for African Affairs, wrote that

recently even the Soviet Union has begun belatedly to make gestures of cooperation and assistance toward the underdeveloped countries. While this constitutes an important change in Soviet tactics, it remains to be seen whether the change is consistent with the basic Communist objective of world domination.

While American policy and public opinion supported the eventual end of formal colonial rule, Allen noted: ‘All of the so-called colonial powers
represented on the continent of Africa are our friends and allies in the worldwide contest between the free and Communist worlds.’ He and others within the State Department thus emphasised a cautious and moderately paced progression toward independence, and helped the colonial powers negotiate a middle ground in the debates on the UN’s role in Africa and the rest of the colonial world.64

Despite support from the Americans, however, ultimately the results of this colonial public relations campaign were somewhat ambiguous. In spite of the best efforts of colonial governments to fend off assaults from the broader international community, there was no way to go back to a pre-1945 imperial invisibility. Faced with charges of causing land deterioration, propagating race discrimination, keeping their populations ‘in conditions of ignorance and semi-starvation’, the colonial powers faced a reality of the post-war period that they had not foreseen at the signing of the United Nations Charter—a force of public opinion so strong that it could make or break the already tenuous ties between metropole and colony in the postwar period.65 As Mathiot argued in his text, the shift in international public opinion in the wake of the war, and the creation of a forum in which to institutionalise that opinion, created an environment in which colonial peoples ‘reclaim the right to pursue for themselves, with the world as judge, a policy of emancipation’.66

While the UN could not operate as a colonial tribunal in the strictest meaning of the term, every aspect of the UN system of collecting information from dependent territories became, in a sense, a moment or a space for judging the political progression of colonial peoples towards self-sufficiency and, ultimately, towards self-government.

While the UN Charter, as it was established in 1945, failed to immediately overturn the very real structural inequalities in a world that empire had created, it did produce a significant opening that allowed people across the world to see into the inner lives of those empires. It established a means to generate a crucial set of data that would allow anti-colonial delegations to formulate their critiques of imperial rule, and it opened a space where—if colonial subjects could not speak on their own behalf—representatives from recently independent nations and other anti-imperial delegations could attempt to speak for them. Colonial delegations, especially the French, British and Belgians, watched with great trepidation as this informal system of international colonial supervisions evolved over a 15-year period from the end of the Second World War to the massive wave of decolonisation that swept the globe in the late 1950s and early 1960s.

The extensive engagement with political questions surrounding the nature of dependency and self-government that took place in the late 1940s and early 1950s with the UN Special Committee is a testament to the ability of anti-colonial representatives to the United Nations to exploit the ambiguous wording of the charter in favour of expanding an—albeit unofficial—system of international
colonial oversight. Although article 2(7) of the charter prohibited the United Nations from interfering in ‘matters which are essentially within the domestic jurisdiction of any state’, the notion that colonial affairs were not a matter of inherently international concern was rapidly falling away. The Special Committee had indeed moved far from its original purpose of refining the procedures for information collecting. Progress in dependent territories was no longer to be measured solely in terms of technical advancement by metropolitan governments. Now it was also judged on the basis of progress towards self-government by the broader international community, according to new international political norms in which colonial rule was increasingly becoming the exception, rather than the rule. The attainment of self-government was no longer solely a function of negotiations between colony and metropole. It was now something that needed to be demonstrated to the international community using criteria determined by a joint committee comprised of both colonial governments and imperialism’s staunchest opponents.67

Although the project of preserving empire in a post-1945 world revolved largely around negotiations between colonial governments and their constituents in their overseas territories, the colonial question was also very much an international one in which European empires had to confront changing norms about the legitimacy of empire. In a 1954 article, the Brazilian ambassador to the United Nations, Sérgio Armando Frazão, wrote that the founding of the United Nations in 1945 had been the first step in a process by which ‘the national concept of colonization began … to surrender to the idea of colonization as an international function’.68 But the exact mechanisms by which this would occur was laid out less clearly in the charter than the system intended to govern the UN Trust Territories. Just as the system of colonial oversight evolved in an ad hoc manner, so too did colonial strategies to defend the European imperial project. In an attempt preserve their sovereignty in their overseas empires, colonial governments put forth a wide variety of challenges to the very notions of dependency and self-government, and pointed to the ways the UN failed to protect marginalised populations living in independent territories.

As former colonies became independent states and joined the ranks of the United Nations, the position of colonial governments became increasingly precarious as delegations from the global south found themselves increasingly in a position to make the violence and structural inequalities inherent in colonial rule visible to the world. If the trusteeship model could not be universally applied to all colonial territories, the UN Special Committee could still be made to serve as an imperial referee, holding colonial governments accountable for their commitment to promote self-government and treat their dependent populations justly. If there was to be no official channel for colonial populations to make their voices heard at the UN, anti-colonial delegations to the Special Committee could make the data speak for them.
When the colonial delegations left the San Francisco Conference in June of 1945, they departed with a feeling of uneasy reassurance that they had preserved a world safe for empire. But the debates and tensions about sovereignty, international oversight and the very nature of dependency and self-government that were launched at the League of Nations and ultimately codified in the UN Charter were in fact far from resolved and they would continue to haunt colonial governments throughout the era of decolonisation. Although the charter did not mandate the creation of a body that would formally oversee all colonial territories, the ambiguities in its language created a space where anti-colonial delegations to the UN could try to institute a different model of accountability, allowing the data collected by the Special Committee to speak for the injustices being committed by colonial governments against dependent peoples living in their overseas territories. Even if the idea of an all-encompassing system of trusteeship failed to take hold at San Francisco, the notion that the UN could still play an important role in monitoring colonial governance and guiding dependent peoples towards normative statehood would have important ramifications for the evolution—and ultimately demise—of colonial empires in the late 1940s and 1950s.

Notes
3. van Langenhove, The Question of Aborigines; see also The Sacred Mission of Civilization.
4. Burns, In Defence of Colonies, 119. On trusteeship, see also Hill and Keller, eds, Trustee for the Human Community; see also Lohrmann, Voices from Tanganyika.
5. On the renegotiation of the relationship between coloniser and colonised in the post-war period, see, for example, Cooper, Decolonization and African Society and Chafer, The End of Empire in French West Africa: France’s Successful Decolonization?. On decolonisation in international perspective see, for example, Burke, Decolonization. On decolonisation, labour and international organisations, see Maul, Human Rights, Development, and Decolonization. On the UN and decolonisation in North Africa, see Connelly, A Diplomatic Revolution.
6. See Mazower, No Enchanted Palace; Pedersen, The Guardians; Terretta, Nation of Outlaws; Terretta, Petitioning for Our Rights; Terretta, “We Had Been Fooled”.
8. The UN Special Committee on Information Transmitted from Non-Self-Governing Territories would ultimately be replaced by the UN Special Committee on Decolonization. See Turner, “Finishing the Job”.


17. United Nations, Department of Public Information, ‘Background Paper on Chapter XI’.

18. ‘Historique: Renseignements provenant des territoires non autonomes’, 1956, 2, NUOI 471, ADLC.


20. ‘Historique: Renseignements provenant des territoires non autonomes’, 1956, 13, NUOI 471, ADLC.

21. Ibid., 2–3.

22. Ministère de la France d’Outre-Mer, Direction des Affaires Politiques, 3ème Bureau, Ciraulaire, Objet: Renseignements fournis au titre de l’Article 73, no. 8.826, Paris, 6 Déc. 2, 1 H 49 (163), Archives Nationales du Sénégal (hereafter ANS). On the legal evolution of the French empire, and specifically the granting of citizenship to former colonial subjects, see Cooper, Citizenship between Empire and Nation.


26. The eight ‘administering’ members included France, Great Britain, Belgium, the United States, Australia, Denmark, the Netherlands, and New Zealand.


28. ‘Historique: Renseignements provenant des territoires non autonomes’, 1956, 1, NUOI 471, ADLC.


30. Ibid., 14.

33. Ibid., 14.
34. Ibid., 19.
35. United Nations, Department of Public Information, What the United Nations is Doing, 19.
37. United Nations, Report of the Special Committee on Information Transmitted, 2–29 Sept. 1948, 8. See also United Nations, Department of Public Information, What the United Nations is Doing, 20. In 1951, the colonial administration, for example, refused to submit information in the optional categories of race relations and women’s legal status. See Ministère de la France d’Outre-Mer, Direction des Affaires Politiques, 3ème Bureau, Circulaire, Objet: Renseignements fournis au titre de l’Article 73, no. 8.826, Paris, 6 Déc.1952, 3, 1 H 49 (163), ANS.
39. The French delegation claimed they were not opposed to the principles embodied in the UN Declaration of Human Rights, simply the manner in which the committee was attempting to implement it. ‘Historique: Renseignements provenant des territoires non autonomes’, 1956, 15, 23, NUOI 471, ADLC.
43. United Nations, Report of the Special Committee on Information Transmitted, 2–29 Sept. 1948, 8. In 1950, during discussions about the revision of the standard form, which would be conducted by a special sub-committee in 1951, the British representative noted that the standard form was not ‘an obligatory questionnaire’ and was intended only as a guide. Therefore, even adding a section on politics or rights would not render the transmission of this information obligatory. See United Nations, Report of the Special Committee on Information Transmitted, 18 Aug.–12 Sept. 1950, 9.
44. United Nations, Report of the Special Committee on Information Transmitted, 2–27 Oct. 1951, 5. The submission of information on human rights was resisted by the colonial powers on the ground that no independent territories were required to submit such information, and that such a requirement constituted a blatant discrimination against members responsible for the administration of dependent territories. See United Nations, Department of Public Information, ‘Background Paper on Chapter XI’, 13.


49. See ‘Historique: Renseignements provenant des territoires non autonomes’, 1956, 7, NUOI 471, ADLC.


51. United Nations, Resolutions Adopted, 34.


53. Ibid.


57. On American-British discussions about the fate of empire during the Second World War, see Louis’ seminal work, Imperialism at Bay.


60. ‘Note pour le Ministre: L’Amérique et les Colonies’, 12 Mars 1945, Ministre des Affaires Etrangères, Direction des Affaires Politiques, K Afrique–Généralités 1, ADLC.

61. ‘United States Attitude on the Colonial Question’, 1, Benjamin Gerig Papers, Box 1, Folder 25, Library of Congress.


63. ‘Note pour le Ministre: L’Amérique et les Colonies’, 12 Mars 1945, Ministre des Affaires Etrangères, Direction des Affaires Politiques, Afrique-Levant, Généralités 1, ADLC.

64. ‘United States Foreign Policy in Africa’, by George V. Allen, Assistant Secretary for Near Eastern, South Asian, and African Affairs, Department of State Bulletin, 30 April 1956, General Records of the Department of State, Bureau of International Organization Affairs, Office of Dependent Area Affairs, Records Related to the United Nations Committee Four, 61D 118, RG59, NARA.

66. Mathiot, Les Territoires non autonomes, 76.
67. The United States delegation actually supported the colonial viewpoint in this matter. See Circular Airgram to Certain American Diplomatic Officers, Control 1867, 18 Oct. 1952, 8:20 a.m., General Records of the Department of State, Bureau of International Organization Affairs, Office of Dependent Area Affairs, Records Related to the United Nations Committee Four, 61D 118, RG59, NARA.
68. Frazão, ‘International Responsibility’.

Acknowledgements
This article is based in part on research I conducted in conjunction with the Eighth International Seminar on Decolonization, sponsored by the National History Center and the John W. Kluge Center at the Library of Congress. I am grateful for a fellowship from the Andrew W. Mellon Foundation to participate in the seminar and I would like to thank seminar faculty Wm. Roger Louis, Dane Kennedy, Philippa Levine, Jason Parker, Pillarisetti Sudhir, and Lori Watt, as well as my fellow seminarians, for their indispensable feedback. I would also like to thank Jennifer Foray for her feedback and support.

Disclosure statement
No potential conflict of interest was reported by the author.

Funding
This work was supported by the Andrew W. Mellon Foundation and the College of International Studies at the University of Oklahoma.

References


The Sacred Mission of Civilization; To Which Peoples Should the Benefits Be Extended? New York: The Belgian Information Center, 1953.


Terretta, Meredith. “‘We Had Been Fooled into Thinking that the UN Watches over the Entire World’: Human Rights, UN Trust Territories, and Africa’s Decolonization.” Human Rights Quarterly 34, no. 2 (2012): 329–360.

Turner, Oliver. “‘Finishing the Job’: The UN Special Committee on Decolonization and the Politics of Self-Governance.” Third World Quarterly 34, no. 7 (2013): 1193–1208.


