

The American Anti-Colonial Tradition and International  
Accountability for Dependent Peoples: A Study of the  
American Role in the establishment of the League of  
Nations Mandates System and the United Nations  
Trusteeship System.

by

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To be submitted for the degree  
of Ph.D.  
at the London School of Economics  
in the University of London.

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Abstract of a thesis to be submitted for the degree of  
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This thesis examines the American anti-colonial tradition's role in establishing the principle of international accountability for administering dependent peoples in the League of Nations mandates and the United Nations trusteeship systems. Where relevant, British ideas and schemes are compared with American ones in so far as this helps to understand the latter and where the final outcomes were based on Anglo-American compromises. It contributes to the literature on international relations in two main areas. First, it analyses the formulation, development and inter-relation of the American anti-colonial tradition and international accountability. Second, it is the first study of the interplay of those two concepts within the context of differing Anglo-American views on creating the mandates and trusteeship systems.

There are eight chapters. Chapter 1 introduces the main objectives and themes. Chapters 2 and 3, the conceptual heart of the thesis, examine imperial and colonial relationships, the American anti-colonial tradition, and international accountability for dependent peoples. Chapter 4 focuses on the interplay of those concepts and the American role in establishing the League mandates system. Chapters 5, 6 and 7 do the same regarding the United Nations trusteeship system. Chapter 7 also contains a postscript on trusteeship developments since 1945. Chapter 8 summarises the thesis' conclusions. Throughout, the methodological approach is analytical and historical rather than theoretical.

The overall conclusion is that so long as the national interests of the United States were protected, the American anti-colonial tradition did play the major role in establishing the principle of international accountability within both the mandates and the trusteeship systems. The determination and anti-colonial sentiments of Presidents Woodrow Wilson and Franklin Roosevelt were especially important. American policy was usually based on the right of all peoples to freedom; the practical application of this precept hastened the demise of Western European-style colonialism.

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## Chapter 1 : Introduction

### 1. Objectives and Perspective

This thesis examines the role of the American anti-colonial tradition in the evolution of the principle of international accountability for the administration of dependent peoples. It focuses on the tradition's part in establishing the mandates system of the League of Nations as set forth in Article 22 of the Covenant and the trusteeship system of the United Nations as enshrined in Chapters XI, XII, and XIII of the Charter. Events since the establishment of the United Nations trusteeship system at the San Francisco Conference of 1945 and the submission of the original trusteeship agreements in 1946/47, lie outside the main purview of the thesis. They are outlined in Chapter 7, however, in so far as they throw light on the response of the United States to the efforts of the anti-colonial powers to bridge the constitutional gap in the Charter and give the United Nations comparable powers over non-self-governing to those it possessed over trust territories. This culminated with the establishment in November 1961 of the Special Committee to report on the implementation of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples of December 1960.

The thesis is confined primarily to examining 'official' and 'semi-official' American sources for ideas and plans regarding international accountability, mandates, and trusteeship. The methodological approach is analytical rather than theoretical. Throughout, the emphasis is not on the facts as such and what actually happened, but rather on analysing the issues raised by the inter-play of the two concepts, the American anti-colonial tradition and international accountability for dependent peoples.

The Anglo-American dimension. Where relevant, British schemes are examined in so far as they help to understand American ones, were in marked contrast to them, or because the final outcome was based on an Anglo-American compromise. This comparison is undertaken because Great Britain, the foremost colonial power in the nineteenth and first half of the twentieth centuries, was the country against which much of American anti-colonial sentiment was directed. Great Britain and the United States, moreover, were the two powers who made the greatest contribution to the principle of international accountability for dependent peoples.

An important intellectual distinction between American and British blueprints should be underlined. Although a generalisation, there is an element of truth in the contention that whereas British stands on colonial issues tended to move from specific to more general conceptions, the Americans were more inclined to be influenced by conceptual propositions in particular matters. For example, during the Second World War, the British Colonial Office's views regarding independence and/or self-government were based largely on its understanding of the lessons to be drawn from the experience of specific colonies and the evolution of the white Dominions to autonomy within the British Empire and Commonwealth. The attitudes of many officials within the State Department to such questions as the future of Indo-China, however, in part were determined by the intellectual constraints of concepts like the "open door", "the right of all peoples to independence", and the general ethos of American anti-colonialism. If this intellectual distinction is borne in mind when probing their wartime policies regarding international accountability, then it is easier to appreciate more fully the occasional mutual incomprehension which the Americans and the British had for each other's proposals.

A further point is that when comparing American and British plans, clear analytical threads may well now be drawn

which at the time were by no means apparent to the actual people dealing with them. Another complication is that it is not always clear, nor was it always clear at the time to the protagonists themselves (even within their own planning circles), whether differing American and to a lesser extent British proposals on international accountability were to be universal or confined to specific categories of non-self-governing territory such as the colonies of the enemy Powers.

Anglo-American mistrust in large part arose from differing cultural and historical heritages. British responses to American mandate and trusteeship proposals tended to vacillate between regarding them as ill-conceived but only so much hot air to positively dangerous threats to the existence of the British Empire. This was especially important during the Second World War when the United States was the senior partner in the wartime alliance who would inevitably exert major influence over the postwar colonial situation. On colonial issues at least, there never has been an Anglo-American 'special relationship'.

The intellectual framework. At the heart of the thesis is the American anti-colonial tradition's role in predisposing the United States to favour international accountability for dependent peoples. The tradition's origins, nature and impact are analysed in Chapter 2. At this stage, however, it should be pointed out that the tradition derives from the image perceived by almost all citizens of the United States that their country was the first one in modern times to win its independence in a war of liberation against a colonial power. Myth and imagery are very important in the American view of the United States' revolutionary origins. The consequent anti-colonial implications have helped to provide a sense of historical purpose in American political folklore. In this respect, especially in so far as it promoted a national sense of identity, American anti-colonialism bears some resemblance to the emotional and psychological aspects

of post-1945 Afro-Asian anti-colonialism. The American self-image has been renewed and reinforced by both the teaching of history in American schools and the ideological tenets of the Declaration of Independence. The impact of the latter was emphasised by Cordell Hull, Franklin Roosevelt's long-serving Secretary of State:

"I suggest that these should be memorized by every schoolboy and girl....'All men are created equal,...they are endowed by their Creator with certain inalienable Rights....among these are Life, Liberty and the pursuit of Happiness....to secure these Rights, Governments are instituted among them, deriving their just powers from the consent of the governed."<sup>1</sup>

Whether or not American policy-makers have lived-up to the Declaration's idealism, for the purposes of this thesis is not so important as the fact that it predisposed them to believe that colonialism was a moral wrong which the United States should not support. In the words of Harry Hopkins, Franklin Roosevelt's long-time White House adviser: "Nor do I see why this nation should not state unequivocally its belief in the political and economic freedom of all people throughout the world. Now, you can say that that spells the doom of all the Colonial Empires. Well, it probably does":

"I am not recommending that we stir up revolutions all over the world, but I do say that the United States should not cooperate in any international enterprise that will tend to solidify for all time a political relationship which does not give actual and complete freedom to the people who want it."<sup>2</sup>

The fact that the American War of Independence was fought against the England of George III gave many Americans a special distaste for British colonialism. The impact this has had on American historical and political images is also somewhat analogous to Afro-Asian post-independence memories. For example, Jawaharlal Nehru's comments on the post-independence legacy of Asian anti-colonial nationalism are apposite to the ethos of American anti-colonialism: "the memories of past colonialism are very vivid in our minds. Today a few individuals may escape those memories or get over

them but the vast masses of the people do not forget them".<sup>3</sup> This aspect is examined further in Chapter 2 as is the American belief in their own "higher morality" regarding colonial questions. For the moment it is sufficient to quote Franklin Roosevelt's remark to Prime Minister Churchill: "Winston, you have four hundred years of acquisitive instinct in your blood and you just don't understand how a country might not want to acquire land somewhere if they can get it".<sup>4</sup> The Prime Minister's response to President Roosevelt's statements on British colonialism in general and India in particular, was that "States which have no overseas colonies or possessions are capable of rising to moods of great elevation and detachment about the affairs of those who have".<sup>5</sup>

Within the United States, "carefully selected and highly sentimentalised memories of America's liberation from England conditioned an attitude of sympathy, if only sentimental", towards peoples living under European especially British, colonial rule. "Conveniently" overlooked by most Americans in their "self-righteous condemnation" of colonialism was "their country's own imperialist ventures and pursuit of self-interest".<sup>6</sup> Indeed, even in the last decade of the twentieth century, "America does not like to think it has colonies, and many of those who live in them wince at the very word":

"Official language speaks of commonwealths or territories. But facts are facts. Military conquest and strategic need over the past 100 years or so have left America a modest, yet far-flung empire of islands. Most have governments and flags of their own, but none is free. And though they are sovereign territory of the United States, and use its currency, neither are they part of it. They have no direct say in its political process. Colonies they are."

The nature of American empire building and the similarities or otherwise to that of the European colonial powers is outside the scope of this thesis except in so far as light is shed on the American anti-colonial tradition and the role this played in predisposing the United States to

favour international accountability for dependent peoples. To many non-Americans, however, United States' anti-colonialism has often appeared to be a cloak for the pursuit of her own national interests. This aspect is also elaborated upon further in Chapter 2. For the moment it is sufficient to point out that the more severe critics of American policy have characterised it as "the curious picture of a state ruthlessly pursuing its own ends under the mantle of the highest idealism".<sup>8</sup> The frequent stress on the innate virtues of their policies by some American policy-makers has irritated both European and Afro-Asian statesmen and commentators. To quote Prince Sihanouk of Cambodia; "Is God white? Is he American?"<sup>9</sup> Nevertheless, a constant theme of this thesis is that there has been a very real element of idealism in American anti-colonial pronouncements and policies. Although at times it is very hard to draw the line between self-delusion and hypocrisy, the central contention is that the United States in large part motivated by anti-colonial sentiments in the idealistic sense, played the most important role in establishing the principle of international accountability for dependent peoples as laid down in the League mandates and the United Nations trusteeship systems.

Nevertheless, the element of self-interest in American plans cannot be ignored. It was a persistent theme, and often the dominant one. Consequently, throughout the thesis there is consideration of such questions as the degree of tension between idealism and self-interest in the American schemes to promote international accountability for dependent peoples? To what extent did American policy constitute a continuum in the respective planning for the League mandates and the United Nations trusteeship systems? In particular, how important was the desire in both sets of plans to restrict any potential enemy (namely, Japan) having 'unfettered' control over the German Pacific Islands North of the Equator? In fact another constant theme is American

suspicion of Japan and desire to safeguard the national security of the United States.

Analysis of these issues throws considerable light on both American anti-colonialism and international accountability for dependent peoples. In particular, they demonstrate the key role of the former in developing the latter. The term international accountability is used throughout the thesis, although many commentators tend to regard it as synonymous with international responsibility. International accountability, however, embraces three ideas, one of which is international responsibility. First, the sacred trust principle; essentially the idea that colonial rule should be for the benefit of the governed rather than the governors. Second, that in undertaking their administration, colonial powers have a responsibility to the international community at large. Third, giving teeth to that responsibility by the provision of institutional measures sufficient to provide the international community with a meaningful role or over-sight in the actual conduct of colonial administration.

Chapter 3 demonstrates that many of <sup>the</sup> ideas involved in international accountability originated in the experiences of the British Empire, but American efforts in both world wars reinforced the international element. "Whereas the British had considered a colonial trustee answerable only to his own conscience, and perhaps to a vague world conscience, the mandates system added a third party, the Permanent Mandates Commission and the League Assembly".<sup>10</sup> President Woodrow Wilson played a major role in this 'internationalisation' of colonial trusteeship. The international accountability element was extended further during the Second World War by the American planners for the postwar world under the leadership of President Franklin Roosevelt. The key role of the United States in establishing the international dimension within both the League mandates and the United Nations

trusteeship systems is the subject of Chapters 4, 5, 6 and 7 of this thesis.

A number of background and qualifying factors to the thesis should be pointed out. First, colonial policy in general and international accountability for the administration of dependent peoples in particular had very low priority in the two world wars. Both the League of Nations and the United Nations were designed as agencies to keep the peace; colonial aspects having only a relatively small part to play. To quote Lord Beloff on the Paris Peace Conference and the creation of the League of Nations: "it might have been expected.... that Woodrow Wilson's commitment to national self-determination would extend to the subject nationalities of the British Empire. But Wilson's concerns were Eurocentric and.... only the former Ottoman Empire provided serious non-European issues of a political kind".<sup>11</sup> The fate of the former German colonies and even that of the former Turkish territories was not a serious threat to world peace compared with the European settlement.

Colonial issues were more important during the Second World War; especially to President Roosevelt and Cordell Hull who believed that future threats to world peace could well arise through the efforts of dependent peoples to throw off the chains of colonial bondage. Allied wartime propaganda, moreover, centred on the ideals of democracy and freedom which essentially meant rejecting the idea of the strong ruling the weak. Alien rule in Africa and Asia had long been resented, if only passively, and such wartime Allied pronouncements as the Atlantic Charter Declaration aroused hopes of colonial emancipation. However, even though the Americans devoted considerable efforts from 1942 onwards to planning for a postwar international trusteeship system under the auspices of the envisaged United Nations (efforts strongly supported by President Roosevelt), these still had very low priority compared with defeating the Axis powers and establishing international peace and security on a firm

basis. American trusteeship plans were only a facet of the latter.

Another related qualifying factor is that although obviously significant as parameters against which policy was conceived, the thesis itself is not concerned as such with the roles of dependent peoples in the two world wars, debates on whether particular dependent peoples should be independent or self-governing, the disposal of individual dependent territories, or the detailed wartime planning for the future League of Nations and United Nations. Rather the conceptual focus is on the roles which the United States thought the two organisations should play in furthering international accountability for dependent peoples. In examining the various mandate and trusteeship plans, furthermore, the centre of enquiry is upon the evolution of ideas rather than the details of actual negotiations and the parts played by particular individuals. The details of diplomacy, however, are important in the evolution of ideas especially in so far as a particular idea is eventually contained in written draft proposals. The motives behind the mandate and trusteeship schemes have to be evaluated against the exigencies of high and low diplomacy. In other words, the various economic, military, political and other requirements for actually winning the two world wars and laying the foundations for successful peace settlements.

It is also necessary to bear in mind that the documents emanating from international wartime meetings and conferences were often conceived in haste and after the event appeared highly ambiguous. Sometimes, indeed, this was the deliberate intention of the drafters themselves. In particular, this qualification should be remembered when examining the Atlantic Charter's provisions and the Yalta agreement on trusteeship. The participants at conferences and meetings, moreover, were not always certain themselves of the actual significance of what had been decided. Individuals, furthermore, perceived events in different ways. For

example, as is developed in Chapter 6, many commentators have maintained that Winston Churchill's outburst regarding American trusteeship proposals at the Yalta Conference in January 1945 was an important factor in making the United States more circumspect regarding its plans in this area. Sir Alexander Cadogan, then Permanent Under Secretary at the Foreign Office and a participant at the Conference, however, was very scathing in his comments on the Prime Minister's outburst:

"Silly old man - without a word of warning to Anthony [Eden] or me, he plunged into a long harangue about World Organisation, knowing nothing whatever of what he was talking about and making complete nonsense of the whole thing. The worst of it was that what he said was completely contrary to the line already agreed with the Americans! However, I was able to explain privately to them that they needn't take it too tragically, that it didn't really mean anything and that we could clean up the mess afterwards."<sup>12</sup>

Another qualifying factor is that the roles of individual American policy-makers in furthering international accountability is not a primary concern of this thesis. However, while the primary focus is upon the evolution of ideas, the part played by key individuals or groups is also obviously important in regard to both the American anti-colonial tradition and international accountability. The American military, for instance, in the Second World War especially tended to be suspicious of British objectives and pro-annexationist regarding territories like the Japanese mandated islands which they believed important to American security. In contrast, State Department officials, although also aware of security requirements, tended to be anti-annexationist. Individuals like Harley Notter (a special adviser in the State Department) and Leo Pasvolksy (Executive Director of the Committee on Postwar Programmes), were pro-British, but disliked European colonialism .

Similarly, at the highest political level, in the First World War, Woodrow Wilson and Robert Lansing, and in the

Second World War, Franklin Roosevelt and Cordell Hull, in one way or another could all be described as Anglophiles, although without enthusiasm for British colonialism. The tenacity and conviction of Presidents Wilson and Roosevelt played crucial roles in developing the principle of international accountability for dependent peoples. The anti-colonial sentiments of President Roosevelt were of particular importance. He was not a conceptual thinker and did not have the academic training and abilities of Woodrow Wilson. Franklin Roosevelt probably could not have sat down and drafted his own United Nations trusteeship proposals in the same way President Wilson did with the League Covenant. His distaste for colonialism of the European variety, however, was such that he wished to place even the Japanese Pacific islands mandate under trusteeship, although recognising their importance to American security. If he had bowed to the annexationist pressures emanating from Congress and the American military, the United States would have found it much more difficult to gain the European colonial powers acceptance of the United Nations trusteeship system.

The power of the presidency was crucial as "in those areas in which he chose to exercise his authority, the President was not only independent but supreme".<sup>13</sup> Both Presidents Wilson and Roosevelt could dominate policy-making regarding the formulation of the mandates and trusteeship systems respectively. Woodrow Wilson was almost his own State Department so far as the Covenant and mandates were concerned, while Franklin Roosevelt controlled and manipulated the State Department in so far as it was possible with any bureaucratic machine and kept its trusteeship policies in line with his own aims and objectives. His own administrative procedures have been described as disorderly by Henry Stimson and others, but President Roosevelt chose to work through the State Department. This was "in contrast to the procedure of the First World War, when a Commission of Inquiry - the famous 'House Inquiry', under the chairmanship

of Colonel M. House - was established by President Wilson to study the problems of peace-making and operated, for all practical purposes, without reference to the Department of State". President Roosevelt was also ably served in that "Secretary Hull endeavoured to make postwar planning during the Second World War more farsighted than that of the House Inquiry. As a result of his initiatives, preparations were begun early and were largely centred on his department as the one chiefly responsible for advising the President on the conduct of foreign affairs."<sup>14</sup> Consequently, the Roosevelt Administration had detailed trusteeship proposals giving it the initiative when dealing with Great Britain and the other European colonial powers. This initiative was essentially maintained up to and during the San Francisco Conference despite the severe modification in the State Department's plans brought about by the American military's desire to annex the Japanese Pacific islands mandate.

The racial issue as such lies outside the purview of this thesis and it will not be examined except to illuminate the nature and practical manifestations of American anti-colonialism. Sufficient to state that whatever their views on colonialism as such, almost all the American and British participants in creating the mandate and trusteeship systems, were people of their time and usually did not believe that non-whites were the equals of whites. Arthur Balfour, for example, decried the tenet in the American constitution that all men were created equal: "I do not believe that any man can approach this question wisely who really thinks that all men are equal in that sense".<sup>15</sup> Given the perspective of the times, however, it was not wholly inconsistent for Americans, "who tricked and bullied the Indian tribes" and "ill-treat their own Negroes", to be anti-colonialist and to "preach virtue to others".<sup>16</sup>

Finally, a central hypothesis of the thesis is that the American anti-colonial tradition combined with international accountability for colonial administration contributed to the

demise of Western European-style colonialism. Few Western European colonies now remain and even the Russian empire in Eastern Europe is being dismantled. The United Nations' Committee of 24 continues to investigate the remaining bits and pieces of Western European colonialism, mostly-remote and sparsely populated islands, but without the fervour and publicity of the 1960s and 1970s. All but one of the territories placed under mandate and/or trusteeship have either achieved independence or otherwise ceased to be a matter for international accountability. The Trusteeship Council itself only remains in existence because a part of the American strategic trust of Micronesia has still not determined its future. The territory is Palau, a collection of small Pacific islands with an estimated population of 14,106.<sup>17</sup> In the plebiscite of February 1990 on whether Palau should enter into a "Compact of Free Association" with the United States, 7621 valid votes were cast. "4,663 or 60.8 per cent, were cast in favour of the Compact, and 2,988 or 39.2 per cent, were cast against. The Compact did not pass because of a constitutional stipulation that a 75 per cent majority was required."<sup>18</sup> In the next plebiscite, if the extra 1000 or so votes are found to give the required 75 per cent, then the age of United Nations colonial trusteeship will be over.

## 2. Methodology and Chapter Summaries

The thesis is divided into eight chapters. Chapter 1 introduces the main themes and concepts. Chapters 2 and 3, the conceptual heart of the thesis, examine the main ideas underlying the American role in establishing the League mandates and the United Nations trusteeship systems; imperial and colonial relationships, the American anti-colonial tradition, and the principle of international accountability for dependent peoples. The "open door" concept is also investigated in so far as it is an aspect of international accountability. The concept embraces the notion that for the

good of both dependent peoples and the international community, trade with colonies should be open to all countries and not restricted to the colonial metropolises concerned.

Chapters 4, 5, 6 and 7, focus on the interplay of the anti-colonial and accountability concepts in the American role in establishing the mandates and trusteeship systems. Chapter 7 also contains a brief postscript on trusteeship developments since 1945. Chapter 8 outlines the overall conclusions of the thesis.

The examination in Chapters 4 to 7 is undertaken in broad chronological order: first the League mandates system and then the United Nations trusteeship system within the context of American anti-colonial sentiment, developments in the notion of international accountability, and the exigencies of wartime planning and Anglo-American cooperation. An alternative (and rejected strategy) was to examine concurrently the various problems and aspects of international accountability involved in creating the League mandates and the United Nations trusteeship systems within an analytical institutional framework. This approach would have entailed continuously moving the historical framework back and forth, and required chapters on the future of colonial domains, the advancement of dependent people, and international administrative machinery (including supervisory powers and functions). The approach has merit, but was rejected for four inter-related reasons. First, the various American ideas and institutional proposals would have had to be investigated within their own historical perspectives. To compare contemporaneously proposals from different historical periods/backgrounds could give false images and conclusions in so far as each proposal has to be seen against its own historical background. At the extreme, moreover, although apparently comparing the comparable, seemingly similar ideas and blueprints might not actually be comparable; the time factor being all important. Second, although to some extent

this problem might be overcome by constantly re-emphasising the differing time frames, a lot of tedious repetition would be involved. Third, a considerable increase in the thesis' word length would be required. The final and key reason was that the thesis objective is to examine the impact and inter-relation of American anti-colonialism and international accountability for dependent peoples over a specific time-scale determined by the two world wars. The objective is not to conduct a comparative analysis of institutional machinery as such.

Nevertheless, the questions posed in such a comparative institutional approach are underlying themes within the more historical methodology of the thesis. Thus, throughout, there is repeated reference to such questions as which colonies should be placed under mandate or trusteeship, should there be a 'colonial charter' covering all dependent peoples, and who should be the administering states? How should the interests of dependent peoples be advanced and should this include the right to self-government or independence? What kind of international administrative machinery would be required? Should it be regionally or globally based, possess real power or merely be a clearing house for ideas and information? Who should undertake the actual administration: the international organisation directly, groups of states, or individual states? If the latter, should it be those states best qualified, small or neutral ones, or those in actual possession of the dependencies concerned? To what extent should the wishes of the dependent peoples themselves be taken into account when selecting administrative authorities? What should be the duties of the latter? Should they report to an international body, and if so, what should be the actual distribution of supervisory powers and functions? Where did sovereignty lie? What, if any, should be the possible sanctions on administering authorities in the event of maladministration? How should a mandate or trusteeship be terminated? Who

should decide whether a dependency was ready for self-government or independence and the desirability of target dates for achieving either status?

#### Chapter Summaries:

Chapter 1, the introduction, consists of three sections: a long section on objectives and perspective, and two shorter ones on methodology and chapter synopses, and documentary sources and the original contribution to knowledge made by the thesis.

Chapter 2 is concerned with colonialism and the American anti-colonial tradition. There are three sections: an investigation of imperial, colonial and neo-colonial relationships designed to illustrate American understanding of the terms; the nature and origins of the American anti-colonial tradition; and the implications which the tradition has had for American policy.

Chapter 3 analyses the notion of international accountability for dependent peoples. It is divided into two main sections: the sacred trust principle; and the substance and development of international accountability itself. Throughout, American traditions and historical experience are contrasted with European ones, especially those of Great Britain.

Chapter 4 investigates the American role in creating the League of Nations mandates system. It is divided into three main sections: the proposals on dependent territories and peoples which the United States brought to the Paris Peace Conference; the American contribution to the Conference decision to create the League mandates system; and American involvement with the mandates system.

Chapter 5 looks at the development of the trusteeship principle by Franklin Roosevelt's Administration. It is divided into four sections: the Administration's ideas on international accountability for dependent peoples prior to American entry into the Second World War; the evolution of American trusteeship proposals during the war up to the

intervention by the Navy and War Departments in the policy-making process in the summer of 1944; President Roosevelt's attitude to trusteeship; and wartime British views on trusteeship.

Chapter 6 primarily focuses on the impact on American trusteeship proposals of the desire by the Navy and War Departments to annex the Japanese mandated islands in the Pacific. It is divided into four sections: the roots of the opposition by the American military to trusteeship; the continuing Anglo-American dialogue on trusteeship; the final stages of the internal American debate on trusteeship and the impact of President Roosevelt's death; and the actual trusteeship proposals which the United States brought to the San Francisco Conference.

Chapter 7 is divided into two sections: the American role during the San Francisco deliberations on trusteeship; and American attitudes to the constitutional aspects of United Nations concern with colonial problems up to the establishment of the Committee on Decolonisation in November 1961.

Chapter 8 draws the various strands of the analysis together. It provides an overall assessment of the arguments in the thesis as a whole and summarises the role played by the American anti-colonial tradition in establishing the principle of international accountability for dependent peoples.

There is also a bibliography on the sources consulted in compiling the thesis and five appendices: a map illustrating the contemporary American empire; details of territories placed under League mandate; a list of former United Nations trust territories; Articles 22 and 23(b) of the League Covenant relating to mandates and dependent peoples; and Chapters XI, XII, and XIII of the United Nations Charter on the non-self-governing and trust territories.

### 3. Sources and a Contribution to Knowledge

The thesis is based on a wide range of documentary sources, published and unpublished, together with some interviews. The overwhelming bulk of the research has been library based. Many papers, articles and books were read for background information, but not cited in the thesis. The thesis bibliography lists the main sources quoted in the text.

The major documentary source for information on American attitudes to colonial problems and international accountability was the Foreign Relations of the United States series published by the State Department. Particularly useful were the published records of the Paris Peace Conference, the Yalta Conference, and the San Francisco Conference. The State Department's Postwar Foreign Policy Preparation, 1939-1945 was also very useful. Other sources of primary material were the State Department's "Notter Files on Postwar Policy" and the British Cabinet, Colonial and Foreign Office state papers. United Nations documents were another source of basic information.

The biographies, diaries and memoirs of American statesmen such as James Forrestal, Cordell Hull, Robert Lansing, Franklin Roosevelt, Henry Stimson, and Woodrow Wilson were a major fount of ideas and information. For general ideas on colonial problems and American attitudes, the writings of Richard van Alstyne, Rupert Emerson, and Hans Kohn were especially useful. Four books were particularly valuable on the United States and the League of Nations mandates system: George Louis Beer's African Questions at the Paris Peace Conference, Lawrence Gelfant's The Inquiry: American Preparations for Peace, 1917-1919, Seth Tillman's Anglo-American Relations at the Paris Peace Conference of 1919, and Quincy Wright's Mandates under the League of Nations. The incomparable source for the American role in establishing the United Nations was A History of the United Nations Charter by Ruth Russell and Jeannette Muther. Useful

commentaries on the United Nations trusteeship system were James Murray's The United Nations Trusteeship System, Emil Sady's The United Nations and Dependent Peoples, and George Thullen's Problems of the Trusteeship System. Two books were particularly useful on Anglo-American relations: Great Britain and the United States by H. C. Allen, and The 'Special' Relationship edited by William Roger Louis and Hedley Bull.

Overall, the numerous writings of William Roger Louis on colonial problems and Anglo-American relations were stimulating sources for ideas and basic information. If some of his work had been published earlier, especially Imperialism at Bay, I would have been saved much painstaking library-based research. Indeed, in formulating many of the ideas and propositions contained in this thesis, much is owed to the work of Professor Louis as well as to that of Professors Emerson, Kohn, and Russell. Finally, a special debt of gratitude is due to Professor Geoffrey Goodwin. It was his idea, many years ago, that I should investigate the American involvement in colonial problems within the context of international cooperation.

To what extent does the thesis make an original contribution to the body of literature on international relations? The thesis itself is a synthesis drawing together the ideas, research and writings of numerous other observers. The originality lies in looking at the material, asking questions and posing propositions, and putting them altogether within a logical framework in a manner which nobody else has done before. The specific contribution to knowledge lies in four areas. First, it is a British commentator looking at a field usually the preserve of American researchers. The second, and key aspect, lies in the intellectual heart of the thesis; the formulation, development and inter-relation of the two concepts, the American anti-colonial tradition and international

accountability for dependent peoples. To my knowledge nobody else has done this with the same degree of intellectual rigour. For example, the writings of William Roger Louis are diplomatic surveys rather than the examination of ideas as such. Similarly, Rupert Emerson has analysed many of the basic ideas, although not the concept of international accountability as such, without dwelling on the institutional aspects. Third, the thesis is the first study to trace the inter-relation of the American anti-colonial tradition and international accountability within the context of differing Anglo-American views and the creation of the League mandates and United Nations trusteeship systems. Finally, the thesis provides another study of the inter-play of idealism and national interest in American foreign policy. This has not been done before within the context of American anti-colonialism and international accountability and the establishment of the mandates and trusteeship systems.

#### Footnotes

1. The Memoirs of Cordell Hull (New York, 1948), p. 25.
2. Robert E. Sherwood, The White House Papers of Harry L. Hopkins, Vol. II (London, 1949), p. 914.
3. William L. Holland (ed.), Asian Nationalism and the West (London, 1952), p. 353. The quotation is taken from Mr. Nehru's opening address to the XIth Conference of the Institute of Pacific Relations, meeting at Lucknow in October 1950.
4. David Dilks (ed.), The Diaries of Sir Alexander Cadogan, 1938-1945 (London, 1971), p. 578.
5. Ibid., p. 432.
6. George Thullen, Problems of the Trusteeship System (Geneva, 1964), p. 21.
7. "The American Empire", The Economist, May 6, 1989, p. 17.

8. Andrew Crozier, "The Establishment of the Mandates System 1919-25: Some Problems Created by the Paris Peace Conference", Journal of Contemporary History, July 1979, p. 507. Although Dr Crozier's comment was made with regard to the mandates system, it is also applicable to American policy and the establishment of the United Nations trusteeship system.
9. Dennis Bloodworth, "God and North America", Observer Foreign News Service, December 30, 1966.
10. Problems of the Trusteeship System, op. cit., p. 11
11. Lord Beloff, "The End of the British Empire and the Assumption of World-Wide Commitments by the United States", in William Roger Louis and Hedley Bull (eds.), The 'Special' Relationship. Anglo-American Relations since 1945 (Oxford, 1986), pp. 250-251.
12. The Diaries of Sir Alexander Cadogan, op. cit., p. 706.
13. Bradford Perkins, "The Truman Administration and Great Britain", in The 'Special' Relationship, op. cit., p. 44.
14. Ruth Russell and Jeannette Muther, A History of the United Nations Charter (Washington, D.C., 1958), p. 205.
15. "The echoes of Empire", The Economist, July 7, 1990, p. 38.
16. John Plamenatz, On Alien Rule and Self Government (London, 1960), p. 21.
17. 1988 estimated population of Palau. See John Paxton (ed.), The Statesman's Year-Book, 1990-91 (London, 1990), p. 1557.
18. United Nations, Trusteeship Council, Outline of Conditions in the Trust Territory of the Pacific Islands, Working paper prepared by the UN Secretariat, May 14, 1990; Doc. T/L.1274; p. 23. Of course, if a "Compact of Free Association" did come about, the relationship between the United States and Palau would almost certainly be a neo-colonial one as defined in Chapter 2 of this thesis. The United Nations, however, would no longer have any formal oversight over the islands.

## Chapter 2 : Colonialism and the American Anti-Colonial Tradition

United States' attitudes towards international accountability for dependent peoples cannot be understood without an appreciation of the nature and potency of the American anti-colonial tradition. The tradition has a strong sentimental appeal to many Americans who point with pride to the successful efforts of the Thirteen Colonies during the American War of Independence to rid themselves of the tyranny of George III. This they regard as the first example in modern times of a dependent people struggling against and succeeding in throwing off the shackles of colonial bondage. Their perception is well illustrated by John Foster Dulles' statement that "we ourselves are the first colony in modern times to have won independence. We have a natural sympathy with those everywhere who would follow our example."<sup>1</sup> From its birth, moreover, the United States insisted on striving for political, economic, cultural and ideological independence from Great Britain despite the affinity and interdependence existing in all these respects between two peoples who had developed from the same historical roots. Their inability to do so, especially in the nineteenth century, gave rise to a vocal frustration resembling the protests against neo-colonialism by many Afro-Asians after 1945.

Secretary of State Dulles along with other Americans, however, overlooked the fact that "the revolution of 1776 was a movement not of oppressed natives, but of North American Britishers who enjoyed more rights and liberties than did the Britishers in Great Britain. The Anglo-Americans had come as conquerors and settlers, they revolted against their motherland in a struggle over the interpretation of common constitutional rights."<sup>2</sup> The rule of George III, moreover, was relatively enlightened and benevolent when judged in

contemporary terms compared, say, with Spanish rule in the Americas or the regimes to be found in continental Europe at that time. In addition, as is examined further in Section 2, there was no question then or for a long time to come of the newly independent United States granting full or even partial citizenship rights to either the native red indians or the negro slaves. In fact, the rebellion of the American colonies in 1776 was more analogous to the unilateral declaration of independence by the white Rhodesian regime of Ian Smith in 1965 than to, say, the struggles of the Kenyans, Indonesians, and North Africans respectively against British, Dutch and French colonial rule.

Nevertheless, the United States' perception of herself as the first and the foremost anti-colonial power was widely accepted until comparatively recently. On at least a superficial level American attitudes to colonial questions were strongly influenced by the values and myths pertaining to the birth of the United States and her heritage of idealism expressed in such documents as the Virginian Bill of Rights, the Declaration of Independence and the United States Constitution. Thus, when American interests were not endangered by so doing, policy-makers and others in the United States usually sympathised with the anti-colonial cause. Few Americans (or even non-Americans) whether academics, publicists or politicians contested the American anti-colonial image during the time period covered by this thesis.

The American anti-colonial tradition itself can be seen as a continuing, practical, case-by-case development arising out of the interplay between sentimental anti-colonialism and perceived American national interests. Fortunately for the United States during much of her history as a sovereign state, sentiment and national interest coincided. Where this has not been so, usually sentiment rather than national interest has been reinterpreted. This has been generally the case since the Second World War as well as during the period

when the League of Nations mandates and United Nations trusteeship systems were being formulated. American anti-colonialism has been subordinated to and sometimes employed to further geopolitical and other considerations.<sup>3</sup>

The analysis of the American anti-colonial tradition in this chapter is divided into three sections. Section 1 investigates imperial, colonial and neo-colonial relationships in order to place the debate on American attitudes to colonialism into its conceptual perspective. Particular attention is paid to the understanding which many but by no means all Americans have had of the terms and the light they shed on the actions of the United States. Section 2 probes the nature and origins of the American anti-colonial tradition and in so doing looks at the various factors contributing to its evolution. Section 3, the bulk of the chapter, examines the implications which the tradition has actually had for American policy. It is divided into eight inter-related sub-sections: the American emotional commitment to anti-colonialism; the supremacy of the national interest; strategic imperatives; commercial considerations; the desire for power and influence without responsibility in the third world; a lack of knowledge and comprehension of colonial problems; the Anglo-American special relationship and colonial matters; and an assessment of the degree of sincerity or hypocrisy in American policy regarding colonialism. This last sub-section draws the various themes together and inevitably touches upon material already analysed. The overall conclusion is that the Americans had genuine doubts about whether their dependent peoples were ready for independence, and so advocated training for self-government over a specified time period. This they also advocated for the dependent peoples of the colonial powers. The American suspicion of the latter, moreover, predisposed the United States to favour international accountability in training dependent peoples.

Much of the material analysed in this chapter is inter-related and the examination often takes the form of looking at the same events or ideas from different standpoints. American attitudes to British colonialism and how the various aspects of the American anti-colonial tradition have impinged on Anglo-American relations are a constant theme. Although considered in much greater detail in Chapter 3, <sup>some</sup> attention is also paid to those aspects illustrating official American attitudes to international accountability for dependent peoples. The specific influence of the anti-colonial tradition on actual American planning for the League of Nations mandates and the United Nations trusteeship systems is not examined as this is undertaken in Chapters 4, and 5, 6 and 7 respectively. Throughout, because of the wide time span involved, the record of events and issues is of necessity selective. The emphasis is not on what actually happened, but rather on what Americans believed happened and what they perceived as important. Indeed, the creation of myths and imagery and their impact on American policy-making is another underlying theme of this chapter.

#### 1. Imperial, Colonial and Neo-colonial Relationships

In the latter half of the twentieth century the terms "imperialism", "colonialism", and "neo-colonialism", with or without qualifying adjectives, have been usually employed as synonyms to describe Western European power and influence in the underdeveloped regions of the world.<sup>4</sup> Imperialism itself, however, in the sense of "the extension of political power by one state over another, has been a principal feature of the inter-action of human communities all through the sixty centuries of more or less recorded history".<sup>5</sup> It is an ill-defined term giving rise to many analytical problems: for example, to what extent were there aggressive aims and motives rather than reactions to external pressures; was an "empire" acquired by "accident", "reluctantly", or in a "fit

of absent-mindedness"; what were the relationships between rulers and subjects?

Imperialism, moreover, often has pejorative connotations depending upon individual standpoints and prejudices. For example, to some Americans and others who dislike British pretensions and power in the world, the term has distinct anti-British or rather anti-English implications. Thus, a definition in a dictionary of English and American Literature published in 1966; "Imperialism, by which we mean the idea of the supposed right of Englishmen to govern over other territories and peoples".<sup>6</sup> The term is frequently employed to mean unjust, oppressive rule or control; especially white influence over non-white peoples. The domination of whites over whites or non-whites over non-whites is usually ignored. Until the Second World War, however, the various manifestations of this Western domination were "regarded, at the least, as one of the inevitable facts of life, at the most, as a desirable state of affairs for the ruling power and probably for the colonially ruled as well".<sup>7</sup> This is in marked contrast to the situation prevailing in the second half of the twentieth century where Afro-Asian resentment at all forms of white Western dominance underlies the now widely held belief that "colonialism in all its manifestations is an evil which should speedily be brought to an end".<sup>8</sup>

For their part, the advocates of Western imperialism "saw themselves as the trustees of civilisation. They reckoned it their duty to see to it that civilisation was disseminated among as many beneficiaries as could be contrived."<sup>9</sup> Their ambition was often the noble one of making the world a better place to live in; "to drive the blade a little further in our time".<sup>10</sup> Unfortunately for the imperialists, however, people do not like to be dominated whether or not they have benefited materially from the relationship. Indeed, Albert Hourani defined imperialism as the imposition of alien control over an unwilling people:

"The essence of imperialism is to be found in a moral relationship - that of power and powerlessness - and any material consequences which spring from it are not enough to change it".<sup>11</sup> The Encyclopaedia Britannica's definition emphasises this lack of consent; imperialism is "the policy of a state aiming at establishing control beyond its borders 'over people unwilling to accept such control'".<sup>12</sup> The key to the unwillingness is a feeling of inferiority rather than exploitation as such. To quote W.R. Crocker: "People do not like being exploited but they can put up with it. What they cannot put up with is being considered inferior."<sup>13</sup>

Hans Kohn maintains that if imperialism is analysed in terms of the distribution of political power, then there are five principal models, of which one is the colonial.<sup>14</sup> The first is when the dominant power grants the subject people full autonomy within its empire. There are two sub-categories: first, the subject people participate in the empire's affairs on equal terms with the nationals of the paramount power; and second, the paramount power grants full "local" autonomy, but retains responsibility for defence and/or external affairs. The second model is when the dominant people grant individuals among the subject people full citizenship, but endeavour to sink their corporate status in the larger political unit as the English did with the Welsh. The third model is when the conquering people annihilate or expel the indigenes as the North American colonists did with the North American Indians. The fourth model is when the indigenes are permitted to remain, but only in a permanently inferior status. Good examples are the Boer's relationship with the Bantu and that of the United States with the surviving North American Indians until well into the twentieth century.

The fifth imperial model is the colonial relationship:

"...created when one nation establishes and maintains political domination over a geographically external political unit inhabited by people of any race and at any stage of political development. It is terminated whenever

the subject people becomes fully self-governing as an autonomous state, whether independent or as a voluntary associate within an imperial or commonwealth partnership from which it may withdraw at will. It is also terminated whenever a subject people becomes assimilated into the political structure of the colonial power on equal terms, or when their political unit is thus assimilated....The unilateral compulsive nature of this relationship is the essential factor....A simple test - indicative but not infallible - is to observe whether an outside power tacitly claims the right to oust an unfriendly government or sovereign."<sup>15</sup>

The Hans Kohn model is neutral so far as pejorative sentiments are concerned; colonialism being understood in terms of the distribution of political power only. It avoids the exploitative connotations given by Marxist, many Afro-Asian and some American commentators.<sup>16</sup> For example, the American Webster's Dictionary defines colonialism as "the system in which a country maintains foreign colonies for their economic exploitation".<sup>17</sup> The Hans Kohn colonial model also indicates that legally independent states can be colonies. For example, the United States' relationship with ~~some~~ of the central American and Caribbean republics until comparatively recently was a colonial one; the successful American interventions in Grenada and Panama in the 1980's suggest that relation<sup>s</sup>hip with much of the area are still "neo-colonial" if not "colonial" in form. Similarly, until 1989, the Soviet Union's relations with its Eastern European satellites was essentially a colonial one.

This was denied by those holding a legalistic view of colonialism. To them a colonial relationship exists "when the government of one political entity has a legal guardianship, recognised under international law, for the domestic and/or foreign affairs of another geographically external political unit".<sup>18</sup> Thus, many Afro-Asian leaders, pre-occupied as they often were with racialism and Western European style colonialism, maintained that independence "consists fundamentally and basically of foreign relations".<sup>19</sup> The Soviet Union's East European satellites

were "members of the United Nations" and "independent in terms of international law" who therefore "could in no way be called colonies".<sup>20</sup>

Hans Kohn's models also avoid many of the pit-falls associated with mechanistic views of imperialism and colonialism. Many Americans, however, understand these terms from a mechanistic viewpoint. For example, the distinctions drawn between "expansion", "colonialism" and "imperialism" by Quincy Wright, a distinguished American commentator upon international law and colonial questions during the interwar years:

"Expansion occurs where a people with a naturally increasing population gradually extends its frontier over an adjacent, vacant or almost vacant, territory... Colonialism is much the same but with the difference that the colony is not territorially continuous with the motherland. It is separated by such natural barriers as a range of mountains, a desert, or a sea... Imperialism occurs when a state attempts to control territory which may be adjacent or separated but which is inhabited by a people of different characteristics and institutions."<sup>21</sup>

The distinctions are based on the different processes of domination: to Professor Wright, "Expansion may be likened to the growth of an organism and colonization to reproduction, but imperialism more nearly resembles the acquisition of property. The people in a state's expanded area are but peripheral cells of the leviathan, colonies are its children, but the inhabitants of an empire tend to become its slaves."<sup>22</sup> He characterises expansion and colonization (in the sense of the original American settlements in the New World) as good, but imperialism as bad. To him the "expansion of the United States over its present continental area and of Russia over much of Siberia" is natural expansion.<sup>23</sup> Hans Morgenthau underlined the prevalent view among Americans:

"The settlement of the better part of a continent by the thirteen original states seemed to be an act of civilization rather than of conquest and as such essentially different from, and morally superior to, the imperialistic ventures, wars of conquest, and colonial acquisitions with which the history of other nations is replete."<sup>24</sup>

He proceeds to point out that "it was not so much political virtue as the contiguity of the sparsely settled object of conquest with the original territory of departure, which put the mark of uniqueness upon American expansion". To expand, the United States "did not need to cross the oceans and fight wars of conquest in strange lands, as did the other great colonizing nations".<sup>25</sup> Quincy Wright's distinctions overlook the element of power present in the relationships. Professor Morgenthau underlined the importance of this point in the American case; "the utter political, military, and numerical inferiority of the Indian opponent tended to obscure the element of power, which was less obtrusive in, but no more absent from, the continental expansion of the United States than the expansionist movements of other nations".<sup>26</sup> Moreover, the mechanistic distinctions between "expansion" and "colonization", fail to provide adequate means of determining which geographical factors make either definition operative in marginal cases; how large the desert, how high the mountain, how wide the sea! In addition, as Quincy Wright recognised, "imperialism is not always easy to distinguish from expansion and colonization", as they depend upon such nebulous factors as the numerical strength and degree of civilization of the indigenes, and the extent to which they lose their separate identity through either extermination, expulsion, or intermarriage with the colonists.<sup>27</sup>

In fact, like many Americans, Professor Wright appears to have been influenced by the "salt water" concept. The "widespread but unwarranted assumption, which had its origin in the fifteenth century age of discoveries, that colonial

empires are established by sea powers, whereas expansion into contiguous land masses does not produce empire or colonialism".<sup>28</sup> Thus, with regard to twentieth century attempts to develop the principle of international accountability for dependent peoples, it was comparatively simple for Americans to accept the premise that "rule over an alien people separated from the mother country by open sea is intolerable and should be subject to international control whereas similar rule over an alien people on an unbroken stretch of dry land is neither suspect nor a matter for international concern".<sup>29</sup> The impact of the concept is such that, to quote Walter Lippmann, many Americans have not thought of "China or Russia as an empire", but might well have done so if, say, Siberia "were on an island or group of islands separated from Russia", or "Mongolia, Manchuria, Tibet, and Sinkiang were scattered about in the Indian Ocean".<sup>30</sup> Indeed, "the process of overland expansion has been awarded an acceptance and favour of a kind denied to the spectacular, far-flung depredations of the sea powers".<sup>31</sup> To many Americans it was their "manifest destiny" and "morally binding" duty to expand "from the Atlantic to the Pacific". This, to them, was not colonialism, but a noble endeavour. A "significant myth" soon arose and the "image of 'the Frontier', whether invoked by television's unflinching heroes or by President John F. Kennedy, has never lost its potency and attraction".<sup>32</sup> As John Plamenatz has underlined, although "severe critics of 'colonialism', the Americans like the Russians have attacked many peoples weaker than themselves, taking vast territories from them". For both of them, "fortunately", the "territories they seized touched upon their own and were sparsely populated":

"they could therefore absorb them as integral parts of their own countries. Russia and the United States extended their frontiers, while Britain and France remained the same size as before and reduced other countries overseas to subjection. This difference has seemed to the Russians

and Americans to put them morally on a higher plane than the peoples guilty of 'colonialism'."33

The salt water concept and mechanistic understandings of colonial relationships were especially important in American planning for the future United Nations trusteeship system during the Second World War. In particular, President Roosevelt had a mechanistic view of imperial relationships and would not have regarded the salt water concept as a "fallacy". Such attitudes themselves derive from the American anti-colonial tradition. Before examining that tradition, however, mention must be made of the term "neo-colonialism" and its relationship to American attitudes.

The phenomena often described as neo-colonialist are not new occurrences in international relations. For example, in the late nineteenth and early twentieth centuries, the term "economic imperialism" was used to indicate a type of economic relationship similar to the economic model of neo-colonialism. It characterised many European and American relationships with the formally independent states of Africa, Asia, and Latin America. Similarly, the political-military spheres of influence of the European powers in Africa and Asia, and the United States in Latin America, were a form of domination which would now be denounced as neo-colonialism. Likewise, the very process whereby the European powers sought "to civilise" what they regarded as the backward areas of the globe, would now be denoted as neo-colonialism.

The actual term neo-colonialism "appears to have been first used in the late 1950's following the beginning of Western Europe's retreat from Africa and the tremendous growth of independent Black African states. The problem of definition is made particularly difficult owing to the nebulous and emotive sense in which the term is frequently used. Indeed, 'colonialism', 'imperialism', 'nineteenth century imperialism', and 'neo-colonialism', are often used as inter-changeable and derogatory terms for describing any western activity in the underdeveloped regions of the world."

Neo-colonial relationships themselves "can originate from either custom or domination (whether political, economic, or cultural), and be endowed with a veneer of legality in so far as they derive from either a formal treaty or a general informal association".<sup>34</sup>

At least two models of neo-colonial relationships can be defined; both having a wider field of application than western hegemony in the third world. The definitions rest upon the distribution of non-indigenous power and influence in independent states. "In one model the emphasis is upon the existence of non-indigenous influence within a sovereign state and in the other upon a state's claiming of special preogatives in an external geographical area. The first model is best understood by remembering that the leaders of the emergent states are prone to denounce as neo-colonialism any tie with the western world which appears to make their new-found independence less than absolute."<sup>35</sup> Although not mentioning neo-colonialism as such, President Sukarno gave voice to this apprehension in an address to the Bandung Conference:

"I beg of you not to think of colonialism only in its classic form which we of Indonesia, and our brothers in different parts of Asia and Africa, knew. Colonialism has also its modern dress, in the form of economic control, intellectual control, and actual physical control, by a small but alien community within a nation. It is a skilful and determined enemy, and it appears in many guises. It does not give up its loot easily. Wherever, whenever, and however it appears, colonialism is an evil thing, and one which must be eradicated from the earth."<sup>36</sup>

In this reactive sense "neo-colonialism can be defined as any activity (whether political, economic, intellectual, or cultural) by a non-indigenous group (be it another sovereign state, international organization of whatever type, alien community within the state, or outside economic interest) which appears to undermine the independent status of a sovereign state".<sup>37</sup> This model of neo-colonialism can denote both real and imaginary activities by non-indigenous

groups. Indeed, the myths of neo-colonialist threats are frequently employed by third world leaders as vital psychological aids in their endeavours to construct viable nation-states. Neo-colonialism, in effect, has a cohesive function in that it can help to cement the "still plastic unity" of a newly independent state.<sup>38</sup>

Neo-colonialism in this sense reflects the feelings of inadequacy and even at times inferiority felt by many emergent peoples. There is usually more dependence on the outside world than they desire. Moreover, although now possessing political sovereignty, they often assume that independence is incomplete so long as the alien metropole remains enmeshed in the life of its former colony. "An emergent people cannot eradicate completely all their ties with the former metropole, however, as even if all the more formal bonds of the relationship are broken, its historical heritage is usually an integral part of the type of civilization, particularly in the technical sense, which they ardently desire to achieve."<sup>39</sup> Thus, to compensate psychologically, some of the more nationalistic leaders denounce any acceptance of western cultural norms as "mental colonialism" and to over-stress the distinctive nature of their indigenous cultures. Their frustration is increased by the tendency of the western world until at least very recently to undervalue if not actually despise the emergent peoples' achievements and native cultures. At the grass roots level, moreover, independence day did not bring immediate satisfaction of rising economic and social expectations:

"The weak are still weak, and the strong are still strong. The former colonial power rules no longer but it is still there, one of an allied group of nations, including the United States, which wield immense power, and are united in their 'whiteness', whilst most of them exercise some form of colour-bar, or at least racial superiority, against the coloured world."<sup>40</sup>

This model of neo-colonialism, although usually confined to Western relations with emergent peoples, is also applicable to relationships among the emergent peoples themselves and to relationships within the Western world. Thus, a dislike of supposedly alien influences was applicable to relations between the newly independent United States and Great Britain. After the War of Independence, in "name", the United States was "an independent nation with its own unique government. But in reality it would be many years before America could feel itself truly free of Britain."<sup>41</sup> Thomas Jefferson's denunciation "of the 'bastard liberty' of the British with their aristocracy and inequalities",<sup>42</sup> in part can be explained by President Bourguiba of Tunisia's comment that, "To show how truly independent one is, one insults the former colonial power".<sup>43</sup> In fact, American reluctance to become embroiled in the European balance of power lest the new United States become tarnished with the 'imperialist' habits of the Old World, resembles the emergent states' fear of neo-colonialism. Like most of the latter, "the United States was a former European colony unable to sever all her cultural and historical ties with the former metropole and whose own national achievements tended to be despised by the longer established nations of western Europe".<sup>44</sup> Americans were infuriated by the remarks of such British visitors as Mrs. Fanny Trollope: "I do not like their principles, I do not like their manners, I do not like their opinions".<sup>45</sup> Although by no means all Britons held such views as Mrs. Trollope, it was perhaps understandable that the reaction of some Americans should be "Gratitude! Gratitude to England! What does America owe to her?.... We owe her nothing!"<sup>46</sup> Indeed, like Afro-Asian nationalist sentiments in the twentieth century, there were advocates of an American culture to emphasise separation. Noah Webster in his American Dictionary of the English Language of 1828, even called for a new American language: "as an independent nation, our honour requires us to have a system of our own,

in language as well as government".<sup>47</sup> The perhaps natural attempt by the "hypersensitive ex-colony" to "define American interests and values as the opposite" of those of Great Britain,<sup>48</sup> is a classic case of the emotional model of neo-colonialism. It goes a long way towards explaining both the psychological roots of the American anti-colonial tradition and the general assumptions in the United States about colonial and related issues.

Finally, another point of similarity between the Afro-Asian and American reactions to new-found independence, lies in their desire to stand aloof from international conflicts which they believed were not of direct concern to them. In the 1950's and 1960's especially, there was widespread criticism in the United States regarding Afro-Asian desires for neutrality and nonalignment in the Cold War. It is somewhat paradoxical, therefore, that the United States held views regarding the power struggles of the "Old World" in the early days of her independence (and, in fact, until well into the twentieth century) resembling those of the modern Afro-Asians. Indeed, some passages of George Washington's revered Farewell Address could have been made by an Afro-Asian statesman advocating avoidance of becoming entangled in the Cold War:

"As avenues to foreign influence, in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions; to practise the arts of seduction; to mislead public opinion; to influence or awe the public councils! Such an attachment of a small or weak nation, toward a great and powerful one, dooms the former to be the satellite of the latter."<sup>49</sup>

The second neo-colonial model describes a state's vital economic and or strategic interests in external geographical areas where its influence is preponderant vis a vis other states. Usually the geographical area is outside the external state's formal judicial orbit in that normally it does not have responsibility for the area's internal

administration. "Forceful" diplomacy might have been applied, however, to extract commercial and legal privileges for its citizens or to obtain formal treaty rights to preserve vital economic, political and strategic interests. The model embraces both a specific vital interest in one or more states or general spheres of influence. It can be defined as when a state possesses either an economic and/or strategic interest in an external geographical area covering one or more political units, whose preservation it regards as vital to its national well-being. It differs from a colonial relationship as defined by Hans Kohn in the degree of interference in the domestic administration of the political unit in question. Usually the state claiming special prerogatives does not possess either formal governmental responsibilities or the political will and/or de jure right to intervene in the day-to-day administration of purely domestic affairs. The neo-colonial relationship is terminated whenever the state claiming special privileges no longer possesses either the necessary political-will, diplomatic dexterity, economic, or military power to safeguard those privileges in the face of either indigenous ambitions and challenges or those of other external states. In effect, this model of neo-colonialism is based on "informal" rule as opposed to the "formal" governmental powers normally found in colonial relationships.

American expansion in the twentieth century "generally followed 'informal' methods of commercial and financial penetration, most notably in Latin America".<sup>50</sup> In fact, United States' use of the Monroe Doctrine and relations with the Latin American states, especially those situated in the Caribbean, are classic examples of the second model of neo-colonialism. Her relations with Latin America and the Monroe Doctrine itself are examined more fully in Section 3, and for the moment only a few general points need to be made. Essentially, the Latin American states have had to accept the Monroe Doctrine and its various corollaries, unilaterally

pronounced by Washington, as they did not possess the necessary economic, military or political strength to challenge effectively the United States' claim to hegemony in the New World. While Americans sometimes described the relationship in idealistic and moral terms, it remained one based on power.

Although now less marked than in the nineteenth and early twentieth centuries, the relationship is still essentially a neo-colonial one for the Central American and Caribbean states; witness the successful United States' interventions in Grenada and Panama during the 1980's. The advent of the Castro regime, however, severed the neo-colonial tie between Cuba and the United States, despite continued American occupation of the Guantanamo base and the successful efforts of the Kennedy Administration in 1962 to have the Soviet Union's Cuban missile sites dismantled. The United States still possesses the economic-military means to overthrow the Castro regime, but does not use her full power to do so for a mixture of internal domestic considerations, the risk of forfeiting Latin American good-will, and until recently, perhaps, the threat of Soviet retaliation.

## 2. The Nature of the American Anti-Colonial Tradition

American anti-colonial sentiments are rooted in the fact that the United States itself is the product of a successful revolt by thirteen British North American colonies against the nominal rule of George III. It was a revolt, however, of whites against whites; there was no question of civil rights for non-whites. With regard to the Red Indians, as Representative Dorn of South Carolina pointed out in June 1955, "we did not advocate self-government for American Indians. That would have been absurd."<sup>51</sup> Negro slavery was widely accepted and regarded by many as part of the natural order of things. Stoughton Lynd, among others, has argued that at the Constitutional Convention of 1787 which framed the American federal constitution, slavery was "central" to

the compromises reached and the "clauses providing for federal suppression of [slave] insurrections and capture of fugitive slaves, as well as for postponing the abolition of the slave trade, were all integral to the framing of the new government".<sup>52</sup> To Thomas Jefferson, a principal author of the Declaration of Independence, the rights of man meant essentially "white man".<sup>53</sup> A Supreme Court judgement of March 1857 upheld this interpretation by five votes to four. Chief Justice Roger Taney ruled that "a Negro slave or a free Negro whose ancestors were slaves, could not become a United States citizen". Negroes had not been "intended to be included under the word 'citizens'" in the Constitution:

"They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior that they had no rights which the white man was bound to respect and that the negro might justly and lawfully be reduced to slavery for his benefit."<sup>54</sup>

The American anti-colonial tradition itself has varied in content and intensity at different epochs of the history of the United States. There is an ideological core, however, from which the various forms of American anti-colonial sentiment derive. John Quincy Adams expressed its basic tenets in 1821:

"colonial establishments cannot fulfil the great objectives of governments in the just purpose of civil society....They are incompatible with the essential character of our American institutions, and as engines of wrong it would in time be the duty of the human family to abolish them, as they are now endeavouring to abolish the slave trade."<sup>55</sup>

The potency of this central ideological core stems from and is reinforced by the American political heritage. In particular, the American "Declaration of Independence" denied the ideological basis of permanent colonialism with the assertions that "all men are created equal", and that governments derive "their just powers from the consent of the governed". Although the United States' own treatment of her non-white "citizens" did not live up to these assertions

fully until well into the twentieth century, this did not prevent many Americans from alleging that European colonial practices were undemocratic and unjust. The believed lessons of the American frontier experience further reinforced the ideological core. There arose the myth that the transit of the settlers across the North American plain during the nineteenth century demonstrated that if men were left to their own devices, their innate capacities and goodness were such that they could stand on their "own two feet" and govern themselves wisely. Again, in the eyes of many Americans, the fact that in the nineteenth century those qualities were attributed to "whites" only, was irrelevant to the tenet that colonialism hampered the fullest development of human capacity. Finally, as is discussed more fully later in this section, the influx of immigrants in the nineteenth century often brought with them a dislike of the European empires which gave additional strength to the conviction that the "American-way" was both different from and superior to the imperialist and other practices of the Old World.

From the basic postulate on the unjustness of colonial rule, two distinct yet related convictions have sprung: first, colonialism impedes world trade; and second, it threatens international peace. The former is underpinned by two historical factors arising from Anglo-American commercial differences. The first is rooted in the economic causes of the American War of Independence; namely, the attempt of George III's government in Westminster, influenced by eighteenth century mercantilist doctrines, to regulate the trade of the North American colonies. The second factor derives from the confounding of the American expectation that after their revolution, they would "continue the privileges and profits that had formerly been theirs, particularly the once lucrative trade with the British West Indies". Instead, the British Government treated "the United States as the foreign nation it had so ardently desired to become", and endeavoured "to strengthen the empire by reserving the

benefits for those colonies, such as Canada, that had remained loyal".<sup>56</sup> The resulting American contention that colonialism created artificial trading barriers detrimental to the economic interests of both dependent peoples and other sovereign states, was reinforced by the belief that a principal reason for the United States' own tremendous economic growth in the nineteenth century was the absence of such barriers between the states of the North American Union. Many Americans and Europeans as well, moreover, believed that European competition for overseas empire to obtain economic advantages and the subsequent practice of the colonial "closed door" was a fundamental cause of international conflict. For example, Cordell Hull's comments in 1944 on ending "preferential arrangements in the British Empire after the end of the war":

"Unless the business people of our two countries recognise that we have to turn over a new page in economic affairs and go forward....resolutely....there will simply be no foundation for any stable peace structure in the future. On the contrary, there will be the inevitable seeds of future wars in the form of vast unemployment and hunger throughout the world."<sup>57</sup>

Closed door practices in the Philippines and other American territories were usually overlooked or explained away. The American concern with what they considered to be the economic dangers of colonialism made them firm advocates of the "open door", especially in plans for international accountability for dependent peoples.<sup>58</sup>

The second American conviction on the dangers of colonial rule was that it threatened international peace and security because colonial regimes were inherently unstable due to the desire of subject peoples to be free. A good example of this belief is provided by the remarks of Frances B. Sayre (a son-in-law of Woodrow Wilson) in 1943 when serving as a special assistant to Cordell Hull:

"The problem of colonial government which has tormented Europe for over four centuries never will be solved until they come to realise that the supreme values in the world are human personalities. Every alien rule based upon mass

injustice or exploitation contains the seeds of unrest and revolution and makes against international stability and lasting peace."<sup>59</sup>

Indeed, as is demonstrated in Chapters 5 and 6, underlying the Roosevelt Administration's endeavours during the Second World War to establish a viable system of international accountability for dependent peoples as an integral component of the envisaged postwar United Nations, was the conviction that once the Allies were victorious over the Axis powers, a major threat to international stability could well arise from attempts by the European colonial powers to retain and/or to regain control of their Asiatic and African empires. For example, President Roosevelt's remarks to Elliott Roosevelt in January 1942: "I'm talking about another war....I'm talking about what will happen to our world if after this war we allow millions of people to slide back into the same semislavery....Don't think that Americans would be dying in the Pacific tonight if it hadn't been for the shortsighted greed of the French and the British and the Dutch."<sup>60</sup> Once she entered the war, the United States put considerable pressure on Great Britain both to hasten the march to independence of colonial dependencies, especially India, and to cooperate in establishing an international trusteeship system to assist that process.

Another factor behind the American anti-colonial tradition was the already mentioned frustration at the fledgling Republic's inability to break all its ties with Great Britain. In particular, throughout much of the nineteenth century, there was considerable national frustration due to the fact that American insular security in large measure rested on the Pax Britannica. The position was aggravated in that Great Britain was the one state with the potential to challenge seriously American power in the New World. Again, when the United States began to extend her interests into the Caribbean, the Pacific, and Asia, almost

always, the main, usually already entrenched, rival was Great Britain

American anti-colonialism was given an added impetus by the hostile feelings which many of the nineteenth century influx of European immigrants had for the European empires. Of particular importance was the hatred many American Irish had for England and all her works; they brought "few possessions" to the United States, but "a wealth of bitter memories rooted in eviction, poverty and famine".<sup>61</sup> In the words of the American historian, Merle Curti, "the presence of the British-hating Irish led our politicians to curry their favour by 'twisting the lion's tail' so vehemently that friendly relations with the mother country suffered repeated strains".<sup>62</sup> The growing Anglo-German rivalry of the late nineteenth and early twentieth centuries was also reflected in the anti-British sentiments of many Americans of German stock. A good example is provided by the then Secretary of State, John Hay's account of the 1900 Democratic Presidential Convention: "We had great trouble to prevent the Convention from declaring in favour of the Boers and the annexation of Canada". He deplored the harm to Anglo-American relations "because all Irishmen are Democrats and some Germans are fools", declaring that it was "enough to drive a man mad".<sup>63</sup> Later, Secretary of State Robert Lansing, when writing of the groups in the United States who opposed American entry on the Anglo-French side in the First World War, refers to the efforts of those of "German and Austrian descent", and especially the efforts of "the Irish-Americans who sympathized with those who were trying to free Ireland from British domination".<sup>64</sup> After the war at the time of the Paris Peace Conference, the American Irish "were bombarding" President Wilson for not forcing Great Britain "to grant the Irish independence".<sup>65</sup> It was "significant that Senator David I. Walsh of Massachusetts, himself of Irish lineage, was one of the few Democratic senators who refused to support Wilson four square on the League".<sup>66</sup>

In the twentieth century, moreover, there have been numerous attempts by other hyphenated American ethnic groups to influence United States policy regarding colonial questions, especially important at election times. American Jews have been the most powerful of these groups in both financial and opinion-making terms. The American Zionist lobby in the second quarter of the century added to the anti-colonial chorus through its propaganda against British stands on creating a Jewish national home in Palestine.<sup>67</sup>

The American anti-colonial tradition has been kept alive by the perpetuation of historical images. Certainly during the period covered by this thesis, the teaching of history in American schools reinforced the historical memory of believed past colonial injustice. Robert Lansing referred to the "influence" of "the textbooks in teaching American history to the youth of the land. Unavoidably there was implanted in the minds of the students in our public schools the idea that England was our hereditary foe".<sup>68</sup> American history teaching was such that the "ghosts" of George III and Lord North "still haunted the American scene" during the Second World War. Richard Law of the Foreign Office reported that "it may be these ghosts will never be laid, and that it will not be possible to instruct the American people in the real nature of the British Empire".<sup>69</sup>

Overall, the key factor influencing the growth and direction of the American anti-colonial tradition was the historical circumstance of the United States' birth as an independent state; namely, that she obtained her independence by fighting a revolutionary war against the Great Britain of George III. Folk-memories of the Boston Tea Party reinforced American anti-colonialism. Image, not reality is all important. As has also been the case with many newly independent Afro-Asian states, the real or imagined circumstances of the birth are not so important as the fact that the United States was once the dependency of a colonial power whose values and interests were still intertwined with

those of the fledgling North American Republic; legal independence could not remove all the cultural, economic and political ties between the United States and Great Britain inherited from the colonial era. This aspect was aggravated by the fact that the British Empire was her chief commercial rival once the United States began to take a wider interest in international relations. The historical memory is perpetuated by American "historical landmarks" which for British visitors are "one deep humiliation after another":

"Most of the sights celebrate ignominious British defeats or defiant American triumphs over colonial oppression.... The message is clear. Divine intervention, aided by the fact that the spineless British were easily scared, allowed right to triumph."<sup>70</sup>

Finally, it should be underlined that Americans have never disliked the other European colonial empires in quite the same way as they did the British empire. From the early days of the new republic, in the words of John Adams, Canada and the other British possessions in the New World meant that Great Britain will "be the enemy of the United States, let her disguise it as much as she will". To him, France was "the natural ally" of the United States.<sup>71</sup> Indeed, over a hundred years later, Secretary of State Lansing referred to "the sentimental friendship which had persisted from the days of the American War of Independence. The aid which France had furnished to the colonies during the days of the Revolution had never been forgotten. France was our historic friend to whom we owed a debt of gratitude."<sup>72</sup> This was certainly true up to the Second World War when President Roosevelt demonstrated a marked distaste for French colonialism as is shown in Chapter 5. In his view, however, the British Empire was the primary obstacle to international trusteeship as a staging post on the road to colonial emancipation.

### 3. Anti-Colonialism and American Policy

#### (a) The emotional commitment to anti-colonialism

The emotional potency exerted on the public life and policies of the United States by the usual American view of their national origins and subsequent anti-colonial tradition may be gleaned from the fact that in official language she has never possessed colonies or protectorates. When Hawaii and Puerto Rico were acquired at the end of the nineteenth century, they were denoted as "territories", while the United States' other outposts in the Caribbean and the Pacific were described as "insular possessions":

"The word colony itself disappeared from official terminology; the Philippines became referred to as a dependency or as an insular possession as were Guam, Wake, Samoa, Midway and other Pacific islands (which were administered by the U.S. Navy). Generations of Americans grew up without being aware of the colonies of the Philippines and Puerto Rico existing behind the facade of an administration of insular affairs."<sup>73</sup>

In fact, in the words of Richard van Alstyne, "in the United States it is almost a heresy to describe the nation as an empire".<sup>74</sup> William Fox writing in 1943, referred to the word "empire", as having "an evil connotation in America".<sup>75</sup> Until recently, many American historians tended to discount their country's expeditions into the colonial field. Julius Pratt maintained that, "We practised colonialism in the first third of the twentieth century with an uneasy conscience and a more or less steady purpose to return to the paths of virtue".<sup>76</sup> Similarly, Nevins' and Commager's evaluation of the American "imperialist phase" of the 1890's:

"Time was to prove that the overseas responsibilities which the United States assumed were in part merely temporary, and at heart the nation remained non-imperialistic. As the years passed it chose to reduce its overseas holdings, not to enlarge them."<sup>77</sup>

Until after the Second World War it was comparatively simple for the United States to feel and to pose as an opponent of colonialism. A constant theme of this section, to quote Emil Sady, is that the anti-colonialism "firmly

established in the American value system, happily coincided with the interests of the national security of the United States, of American missionaries in the welfare of the people concerned, and of private corporations in the materials, trade, and investment opportunities in the colonies".<sup>78</sup> Until the 1890's and her emergence as a "world power", moreover, she was too preoccupied with expanding across the North American continent to be greatly interested in oceanic expansion. It was recognised, however, that force was used in that continental expansion. For example, John Foster Dulles's testimony to the Senate's Foreign Relations Committee's hearings on the United Nations Charter in 1945: "Largely through force or the threat of force we expanded our domain from a small strip along the Atlantic seaboard to a general continental and, almost world empire."<sup>79</sup>

The American belief in their own virtue has some substance in that for most of the nineteenth century each new territory acquired was destined by law to become an integral part of the American Union with eventual statehood; its inhabitants, or at least the white ones, becoming United States citizens. The principle was first formulated in the treaty governing France's cession of Louisiana to the infant United States in 1803:

"The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible according to the principles of the federal Constitution."<sup>80</sup>

The American colonists prior to the War of Independence, had favoured the extension of British power in North America. Benjamin Franklin, for example, "demanded more living room and admonished the British that a prince 'that acquires a new Territory, if he finds it vacant, or removes the Natives to give his own people Room' deserves to be remembered as the father of his nation. Past gains established the duty that Britain now owed her Colonies."<sup>81</sup> The United States' own continental expansion, furthermore, was by no means morally

superior to British oceanic expansion. Indeed, as is developed further in Chapter 3, a sometimes overlooked cause of the War of Independence was the hostility in the frontier regions to a British proclamation of 1763; one of whose purposes was preserving "Indian rights to their lands and hunting grounds".<sup>82</sup> George Washington, in fact, was one of those colonists who acquired lands which created problems with Indian Chiefs anxious "to keep the whites out of their country"; increasing the difficulties of a British government endeavouring "to honour its obligations to the Indians to restrain the whites from taking their lands".<sup>83</sup>

The march of the independent United States across the North American continent was marked by deceit, treachery, and violence. The Indian tribes were bullied and tricked out of their hunting grounds. The white American settlers broke treaty after treaty with the Indians in their search for acreage and precious metals. In fact, John Collier has maintained that in the middle of the nineteenth century American policy "drifted" to one "of the destruction of all Indian organisation". It "became - and was actually called officially - a policy of liquidation applied to Indian properties and Indian life".<sup>84</sup> In 1867, General William Tecumseh Sherman remarked that, "The more I see of these Indians, the more convinced I am that they all have to be killed or be maintained as a species of paupers".<sup>85</sup> Another Civil War general, Phil Sheridan, "urged destruction of the bison herds, correctly predicting that when they disappeared so would the Indian"; by 1885 the bison were virtually extinct and the Indians starving.<sup>86</sup>

(b) The supremacy of the national interest

In both the North American continent and the Western Hemisphere as a whole, the United States tended to subordinate her anti-colonial tradition to the believed requirements of her national interest. California, New Mexico and Texas were obtained through military conquest,

while in 1903, American control of the proposed Panama Canal was ensured by instigating a revolt in the Colombian province of Panama; the new, "independent", state of Panama granted the Canal Zone to the United States in perpetuity. Mexico was probably the main victim of American imperialism in the New World. Even Americans like Abraham Lincoln who opposed the war with Mexico over Texas in the 1840's, still supported the "patriotic" cause and those "ready to pour out their hearts' best blood, and their lives with it, on a foreign shore, in defense of the American flag and American glory".<sup>87</sup> This was a time of "Manifest Destiny"; a "dream" of "an ocean-bound republic" stretching from the Atlantic to the Pacific oceans.<sup>88</sup> Alonso Aguilar, a Mexican, has summarised the results "of the aggression against Mexico":

"the United States first acquired Texas and shortly after, in 1848, another large slice of territory. Altogether, the United States incorporated some 945,000 square miles - a vast area which today includes the states of Texas, Arizona, New Mexico, California, Nevada, Utah, and part of Wyoming. After appropriating these lands, to which it had no right whatsoever, the United States paid \$26.8 million for them - as though this made the annexation legal."<sup>89</sup>

During the nineteenth century the Monroe Doctrine was a valuable diplomatic instrument for protecting the United States' insular security, commercial interests, and political hegemony in the Western Hemisphere. As suggested earlier, it was a classic example of neo-colonial<sup>ism</sup>. The Doctrine itself was enunciated by President James Monroe in his annual message to Congress, December 2, 1823. The essential premise was "that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers".<sup>90</sup> John Foster Dulles described the Doctrine as "originally enunciated and pursued" as "a doctrine of national self-defence".<sup>91</sup>

After its initial use to justify opposition to European conquest and recolonisation of Spain's former colonies in Latin America, the Doctrine was not really employed until

"explicitly revised" by President James Polk in December 1845 regarding disagreements with Great Britain over Texas and the Oregon territory.<sup>92</sup> His corollary to the Doctrine took the form of a "no-transfer" principle: "We must ever maintain that people of this continent alone have a right to decide their own destiny. Should any portion of them, constituting an independent state, propose to unite themselves with our Confederacy, this will be a question for them and us to determine without any foreign influence." The United States "can never consent that European powers shall interfere to prevent such a union".<sup>93</sup>

Until the end of the nineteenth century, the success or otherwise of the Monroe Doctrine to a large extent depended on the forbearance of the European powers, especially Great Britain. By the 1890's, however, the United States herself was a "Great Power" with the actual ability to ensure compliance. In 1895, Secretary of State Richard Olney extended the Doctrine in an Anglo-American dispute over the Venezuelan boundary. Olney's "Fiat" proclaimed that the United States would be the judge in disputes between the European powers and the Latin American states: "Today the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition".<sup>94</sup> President Theodore Roosevelt extended the Doctrine in addresses to Congress between 1901 to 1905. Under his corollary, the United States set herself up as the guardian of "good government" and "good behaviour" in the New World:

"Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and in the Western Hemisphere the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power....We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice

at home and abroad had violated the rights of the United States or had invited foreign aggression to the detriment of the entire body of American nations."<sup>95</sup>

From the late 1890's until the early 1930's, the Monroe Doctrine was used to justify establishing de facto protectorates in the Caribbean to safeguard American interests as well as to forstall possible European intervention. There were numerous American interventions in and even occupations of Cuba, the Dominican Republic, Haiti, Mexico, and Nicaragua.<sup>96</sup> The Doctrine also ideologically justified the Wilson Administration's protection of American security by purchasing the Danish West Indies in 1917 for \$25 million in case Germany "conquer Denmark and come in that way into legal title".<sup>97</sup> In 1928, Franklin Roosevelt summarised the Doctrine's overall impact and American policy generally on Latin America:

"The nineteen or twenty republics to the south of us in Latin America do not scorn us, they hate us. They have seen us in Haiti, Nicaragua and San Domingo. They have seen what they call our imperialism."<sup>98</sup>

There was some change in American policy with the advent of Roosevelt's own Administration in 1933 and the inauguration of the "Good Neighbour" Policy.<sup>99</sup> This rested on two basic principles. The first was that to promote better relations with the Latin American states, the United States would not insist on all her legal rights. The second was that she would endeavour to cooperate with them rather than undertake unilateral actions. The new style American diplomacy led to <sup>a new emphasis on</sup> "Pan Americanism" and "the principle of American solidarity" as expressed in the Buenos Aires Declaration of December 1936: "a moral union of all the American Republics in defence of their common interests based upon the most perfect equality and reciprocal respect for their rights of autonomy, independence and free development".<sup>100</sup> As demonstrated earlier in this chapter, however, the sheer size and relative power of the United States combined with continued unilateralist inclinations,

meant that she still retained a neo-colonialist relationship with much of Latin America, especially those states in the Caribbean and Central American regions. Nevertheless, "Pan-Americanism" did at least involve the semblance of collective action by all the American states. Of the greatest importance for the purposes of this thesis, moreover, as is shown in Chapter 5, it was from the desire to foster inter-American solidarity, that the Roosevelt Administration formulated its first proposals for international trusteeship.

Until the end of the nineteenth century, however, the United States continued to refrain from acquiring territories not destined for eventual statehood within the North American union. In fact, as Julius Pratt has pointed out, the anticipation of "eventual statehood, was the prevailing one among the men of the 1850's who urged expansion into the Caribbean and Central America in the name of 'manifest destiny'. That Cuba, if annexed, would become a state - a slave state - was assumed by both advocates and opponents of such annexation."<sup>101</sup> In the post Civil War period, some American statesmen had distinct colonial-style ambitions. Secretary of State William Seward was probably "the central figure of nineteenth century American imperialism". With the end of the Civil War in 1865, he began a series of expansionist initiatives:

"He threw out several lines in the Caribbean, hoping (though in vain) for at least one island; and he boldly seized the bait Russia suddenly held out in 1867 in letting him know she was ready to sell Alaska....[He also] made a futile gesture at annexing Hawaii, long since Americanized by New England merchants and missionaries; but he got Midway Island, thus registering the trend toward Asia."<sup>102</sup>

The debate over President Grant's abortive ambitions for San Domingo, "produced in 1870/71, the first clear argument in Congressional history on the issue of 'colonialism' or 'imperialism' as American policy". There was still a marked distaste for colonial adventures. Senator Thomas Bayard, denounced the proposal that the United States should embark

"upon the vast and trackless sea of imperialism, to change it into an imperial Government of outlying and distant dependencies with a foreign population, strangers to us in race, in blood, in customs, in all their systems, political, social, moral and religious". Senator Carl Schurz "warned that free institutions cannot flourish in the tropics":

"To govern tropical islands as 'satrapies' would 'demoralise and corrupt our political life....and impart to our Government a military character most destructive of its republican attributes'. To admit them as states would be to induct into Congress 'people who....have neither language nor tradition, nor habits, nor political institutions, nor morals in common with us'."<sup>103</sup>

In the Pacific, the region most important to her national interest after the Americas and the Caribbean, until the end of the nineteenth century, the direct extension of United States' power was confined to the forceful diplomacy of Commodore Perry's expedition of 1853 which extracted commercial concessions from Japan, annexing a few small islands such as the Midway Group in 1867, obtaining the exclusive use of the Samoan harbour of Pago-Pago as a naval base in 1878, and exercising a paramount influence in, but no formal responsibility for, Hawaii from the 1870's onwards.

With the United States' emergence as a World Power in the 1890's, "the arguments for overseas expansion won widespread popular approval".<sup>104</sup> For example, writing in 1895, Senator Henry Cabot Lodge maintained that, "the great nations are rapidly absorbing for their future expansion and for their present defense all the waste places of the earth. It is a movement which makes for civilization and the advancement of the race. As one of the great nations of the world, the United States must not fall out of the line of march."<sup>105</sup> Divergence from her anti-colonial tradition was governed by similar motives to those influencing the contemporary European expansion; more general acceptance of the duty to assume "the white man's burden" and help the less advanced coloured peoples, national prestige and Great Power

rivalry, strategic requirements arising from the imperatives of sea power, and commercial interests. In particular, in American business circles there was a belief that a "base in the Philippines would aid in keeping open the Chinese door for American trade, now threatened by the exactions of the European powers".<sup>106</sup> Overall, American inhibitions regarding colonialism were modified to such an extent that the United States procured an overseas empire not essentially different in kind from, although smaller in scale to, those of the European Powers. In 1897, she annexed Hawaii, and as a result of the Spanish-American War of 1898, she wrested Guam, the Philippines, and Puerto Rico from Spain.

A popular notion in American political folklore is that the United States took the Philippines from Spain primarily for the good of the Filipino people. Often ignored is the fact that once the latter realised that they were not going to obtain the independence they had generally expected, the subsequent Filipino guerilla warfare was firmly suppressed by the United States with a degree of brutality no different from that sometimes undertaken by the European colonial powers. There is evidence, for example, of water torture; of Filipinos being held "beneath a water faucet turned on full force, and of army medical officers using a syringe to inject salt water into the nostrils".<sup>107</sup> William Pomeroy maintains that it was "a matter of significance that virtually all of the ranking American military commanders in the Philippines were veterans of the American Indian Wars, which had frequently turned into wars of extermination".<sup>108</sup> The "widespread attitude" by the "white American soldiers" was that the Filipinos were "racially inferior people"; very often described as "niggers".<sup>109</sup> The overall American record in the Philippines left much to be desired: "during the period of United States rule from 1900 to 1946 it is doubtful whether the living standards of the peasants and agricultural labourers (the overwhelming bulk of the population) registered any marked improvement over the miserable

conditions of the nineteenth century Spanish colonial regime".<sup>110</sup> This is not to criticise American rule as such, but rather to underline that American colonial practice was no better or worse than that of the European colonial powers.

The American anti-colonial tradition was still operative in that jurisdiction over the Philippines was widely viewed in the United States as only temporary. For example, President Wilson in his first annual message to Congress in December 1913, declared that "We must hold steadily in view their ultimate independence, and we must move toward the time of that independence as steadily as the way can be cleared and the foundations thoughtfully and permanently laid".<sup>111</sup> Nearly fifty years passed, however, before the United States considered that the Filipinos were sufficiently educated in the practice of democratic institutions to be capable of governing themselves. The Roosevelt Administration passed the necessary independence legislation in 1934, but for a variety of reasons (in particular, the Second World War and Japanese occupation of the Islands) the Philippines did not become independent until 1946; only one year before the British granted independence to the Indian sub-continent. The United States, moreover, "retained by treaty, military and naval bases in the Philippines which Britain never sought from India".<sup>112</sup>

Anti-colonial sentiment did play a role in American decisions to grant varying degrees of self-government to her overseas territories at a relatively early stage. "Hawaii became an 'incorporated territory' - autonomous in local affairs and with the possibility of ultimate statehood (granted in March 1959). In Puerto Rico and the Philippines, where Spanish rule had afforded little experience in democratic practices, measures of self-government were introduced and rapidly enlarged, so that by 1917, the people of each dependency elected their own bicameral legislature and through this largely regulated their own affairs, subject to the supreme legislative authority of Congress in which it

had no voice and the veto power of appointed governors." After their purchase in 1917, the Virgin Islands continued to have "the same limited rights of self-government that they had enjoyed under Denmark" until 1936. With populations of less than 10,000 and 6,000 respectively, Guam and American Samoa became "naval stations", commanded by naval officers; their "native assemblies had advisory powers only".<sup>113</sup>

(c) Strategic imperatives

It is within the realm of "naval stations" or bases, that probably the greatest qualification to the American anti-colonial tradition arises. Admiral Alfred Thayer Mahan underlined the importance of sea power and hence overseas base facilities in his book, The Influence of Sea Power Upon History published in 1890:

"Colonies....afford....the surest means of supporting abroad the sea power of a country....Such colonies the United States has not and is not likely to have....Having therefore no foreign establishments, either colonial or military, the ships of war of the United States, in war, will be like land birds, unable to fly far from their own shores. To provide resting-places for them, where they can crawl and repair, would be one of the first duties of a government proposing to itself the development of the powers of the nation at sea."<sup>114</sup>

The United States had sought strategic gains in both the Caribbean and the Pacific even before she reached Great Power status in the 1890's. National security requirements went a long way towards sublimating American anti-colonialism, especially after the American Civil War. "In the Caribbean, American ambitions had only failed to reach a climax in the years before the Civil War because they were primarily Southern, and therefore increasingly suspect in the North".<sup>115</sup> S. F. Bemis has underlined the strategic motives behind the abortive post Civil War Caribbean initiatives of Secretary of State Seward and President Grant:

"The national exigencies of the Civil War, and the foreign interventions in Mexico and Santo Domingo had convinced the United States Government of the desirability of adequate naval bases in the Caribbean to prevent such intrusions in

the future and to cover the approaches to the isthmean transit which held an important relationship to Seward's expectations of expanding trade and navigation in the Pacific and Far East."<sup>116</sup>

The 1890's and new found status as a Great Power renewed United States interest in the Caribbean due to a recognition of the importance of sea power in general and the Panama Canal project in particular. As a result of the Spanish War, strategic facilities were acquired in Cuba and Puerto Rico, while the Panama Canal Zone was obtained through Theodore Roosevelt's forceful diplomacy, and the Virgin Islands purchased in 1917. The remaining European dependencies in the Caribbean region were also viewed with interest for their strategic value by the United States. For example, in January 1918, the General Board of the Navy argued that the "intrinsic strategic value" of the Bahamas, Bermuda, Guadeloupe, Jamaica and Martinique, was such that the United States should acquire them.<sup>117</sup>

Similar sentiments were held at the time of the Second World War. For example, in July 1939, the Chief of Naval Operations, Admiral William Leathy, in a memorandum to President Roosevelt advocated acquiring "limited base facilities at a large number of locations in British Caribbean possessions".<sup>118</sup> In January 1941, regarding the Anglo-American Lend-Lease agreement, President Roosevelt suggested that "There is always the possibility of their putting up their sovereignty to and over certain colonies such as Bermuda, the British West Indies, British Honduras and British Guiana".<sup>119</sup> Earlier in 1940, the United States had loaned Great Britain, fifty over-aged (but badly needed by the British) destroyers in return for ninety-nine year leases of bases in Antigua, the Bahamas, British Guiana, Jamaica, St. Lucia, and Trinidad.<sup>120</sup> So far as American opinion was concerned, moreover, the security of the Panama Canal took clear precedence over anti-colonialism. According to a Gallup Poll of July 1940, 87 to 13 percent favoured the

United States taking "immediate possession of the English, French and Dutch territories in the area of the Panama Canal" if Great Britain was defeated by Germany.<sup>121</sup>

The Pacific basin, especially the North Pacific, became as important to American security as the Caribbean region with the United States accession to "Great power" status. Prior to the United States' expansion to the Pacific coast of North America and the opening of the Panama Canal, American security interests in the region were of only secondary importance. The emphasis of American policy at first had been to prevent other states obtaining bases and concessions. For example, with regard to Hawaii, in 1842, President John Tyler declared that while having "no designs on Hawaiian independence", the United States "would be 'dissatisfied' to see any other power threaten to take possession of the islands, colonise them, or subvert the native government".<sup>122</sup>

Mention has already been made of the Senate's refusal to approve the ambitions of Secretary of State Seward and President Grant in the Caribbean. This was also true of their strategic designs in the Pacific; in particular, regarding the Samoan Archipelago. "In 1872 an American naval officer Commander Meade, drew up a treaty with the Great Chief at Pago-Pago. It provided that the United States was to have the exclusive privilege of establishing a naval station there in return for extending 'friendship and protection'." The Senate did not ratify the treaty.<sup>123</sup> Indeed, even after the Panama Canal project was <sup>underway,</sup> the United States sometimes still preferred that no European power should obtain bases rather than actually doing so herself. For example, as late as 1906 regarding the Galapagos Islands, owned by Ecuador and at the turn of the century occasionally up for sale or lease, Assistant Secretary of State Alvey Adee declared, "We don't want them ourselves and won't allow any European power to exercise control of them".<sup>124</sup> As is examined in Chapter 5, the Galapagos Islands were the subject

of the Roosevelt Administration's first ideas on international trusteeship in the 1930's.

The forbearance over the Galapagos Islands, however, was at variance with the general tenor of United States' security policy in the Pacific region from the 1890's onwards. In 1887, she obtained the exclusive right to the Naval base of Pearl Harbour; the Hawaiian Islands being finally annexed in 1897. "Of all Pacific island groups, the most important to the defence of the United States; being nearer to the American mainland than to the domains of any other power".<sup>125</sup> Another strategic base was obtained in 1899, when the United States and Germany divided the Samoan islands between them. The most dramatic American advance in the Pacific, however, was the Philippines' acquisition following the Spanish-American War of 1898. Even William Jennings Bryan, the Democratic presidential candidate and anti-imperialist, "was not opposed to obtaining naval bases as such", but rather against acquiring the Philippines and other islands as colonies.<sup>126</sup> At that time, Woodrow Wilson also "approved" acquiring the Philippines "as they were a necessary foothold for the United States in the East"; they were required as "new frontiers".<sup>127</sup>

The Philippines' perceived strategic importance was such that well into the twentieth century, some American policy makers opposed their eventual independence. Thus, Henry Stimson, the <sup>future</sup> Secretary of State in 1926, maintained that the United States should "never let them go and must make that intention perfectly clear".<sup>128</sup> The desire for additional strategic bases in the Pacific, moreover, was a policy objective of the anti-colonialist, President Franklin Roosevelt. For example, in the previously mentioned memorandum of January 1941, on how the British might pay for Lend Lease equipment, he argued that, "In the Pacific there are certain small British Islands which not from the population or economic point of view, but from the military and naval point of view, might be a distinct asset":

"There are the Islands south of Hawaii (Canton, Enderbury, Christmas, the Phoenix group etc., and down to Samoa) and the Islands southwest of Hawaii and south of the Japanese mandate Islands (the Gilbert and Ellice group). If we owned them they would be valuable as stepping stones in the control of the central Pacific area."<sup>129</sup>

President Roosevelt was concerned with the threat of Japanese aggression as his memorandum goes on to state.<sup>130</sup> This fear of Japan combined with the American anti-colonial tradition played a dominant role in American plans for international accountability for dependent peoples under both the League Covenant and the United Nations Charter. In other words, security interests to a large extent determined American policies on mandates and trusteeship. This aspect is considered in detail in Chapters 4 to 7, but a few general points should be made at this stage. American suspicion of Japanese ambitions in China and the Pacific dated back to the end of the nineteenth century. Late entry into the First World War, prevented the United States from seizing the German Pacific islands as they had already been taken by the British Empire and Japan. At the Paris Peace Conference of 1919, however, the desire to restrict Japanese control of the German Pacific islands north of the Equator, influenced American schemes for the League mandates system. American security interests regarding these islands also impinged upon the Roosevelt Administration's trusteeship proposals during the Second World War. The United States conquered the islands and the American military authorities wished to retain unfettered control over them; an ambition conflicting with <sup>the</sup> President's desire for a wide-ranging trusteeship system. The eventual compromise was a crucial factor in modifying the more ambitious American trusteeship proposals and in creating the special category of "strategic trust territories". American anti-colonialism, in effect, both helped to extend and to modify the principle of international accountability for dependent peoples.

d. Commercial aspects and the Open Door

The commercial roots of the American distaste for colonialism were discussed in Section 2, while the open door as a concept is examined in Chapter 3. A brief mention is necessary at this stage, however, of some of the actual implications for American policy. The basic point is that whether or not United States' grievances were well-founded, they played important justification roles in her efforts to increase American trade with the colonies of the European Powers and in her commercial competition with them in areas outside formal colonial rule. Thus, a factor underlaying the Monroe Doctrine's enunciation was Secretary of State John Quincy Adams' hostility to colonialism "because it was connected in his mind with commercial monopoly, and the exclusion of the United States from the markets of the New World".<sup>131</sup> In particular, he disliked the infant United States' exclusion from trade with the West Indies and the general commercial exclusiveness of the European colonial empires of the time. It was commercial interests again at the end of the nineteenth century which largely dictated Secretary of State John Hay's advocacy of the "open door" in China; he too, did not wish the United States to be excluded from profitable markets by the activities of the European powers (and Japan) in China.

Woodrow Wilson also "believed in the open door";<sup>132</sup> a belief, as is discussed in Chapters 3 and 4, which played a large part in its inclusion in the provisions of the League mandates system. The believed commercial and economic ills caused by colonialism were even more strongly held by President Franklin Roosevelt and were a factor underlying his attitude towards future international trusteeship systems. For example, at "the first summit" meeting with Winston Churchill in August 1941 which proclaimed the Atlantic Charter Declaration, the President declared that "one of the preconditions of any lasting peace will have to be the greatest possible freedom of trade". There must be no

artificial barriers to trade like the British Empire trade agreements: "It's because of them that the people of India and Africa, of all the colonial Near East and Far East, are still as backward as they are".<sup>133</sup>

In her own "open door" practices, United States policy did not always live up to the idealism of American principles. For example, Sir Keith Hancock pointed out that whereas in 1933, Great Britain supplied 24% of her colonies' imports and received 32% of their exports, the United States was responsible for 80% of her dependencies' imports (including the Philippines) and took 96% of their exports.<sup>134</sup> In fact, although a strong advocate of international trusteeship as a means to preserve the open door, the agreement which the United States submitted for the former Japanese mandated islands in 1947, was the only one placed before the United Nations which specifically excluded the open door for international commerce.<sup>135</sup> The difference between American theory and practice combined with perpetual American "preaching" irritated British leaders and opinion-makers throughout the Second World War. For example, Winston Churchill's comment in January 1943:

"Considering that for seventy or eighty years we kept our colonies absolutely open to the trade of the whole world without claiming the slightest preference or imposing any taxation except for revenue, and that it was the Americans, by their high tariff policy, who led the world astray, it is pretty good cheek of them now coming to school-marm us into proper behaviour."<sup>136</sup>

Some Americans usually regarded as anti-colonialists, themselves advocated overseas territories for the economic benefits they might confer on the United States. For example, in 1907 when still a college professor, Woodrow Wilson apparently justified colonies for mercantilist reasons:

"Since trade ignores national boundaries and the manufacturer insists on having the world as a market, the flag of his nation must follow him, and the doors of the nations which are closed against him must be battered down. Concessions obtained by financiers must be safeguarded by

ministers of state, even if the sovereignty of unwilling nations be outraged in the process. Colonies must be obtained or planted, in order that no useful corner of the world may be overlooked or left unused."<sup>137</sup>

Despite their high moral tone and denunciation of European colonial practice in the economic sphere, the United States' own record in the economic aspects of colonial administration was not always as exemplary as Americans wished to believe. For example, Alfred Cobban highlights the American relationship with Puerto Rico in the 1930's and 1940's, "which did 95 percent of its total trade with the United States": The "ghastly spectacle of wealth drained from a starving people into the richest country on earth is sanctimoniously entitled in the official reports, 'a favourable trade balance'".<sup>138</sup> The replacement of Spanish by American rule had brought no noticeable economic benefits; "under American, as under Spanish control, the people of Puerto Rico live at a desperately low standard of life and there is no early prospect of change in that condition".<sup>139</sup> At the Casablanca Conference of January 1943, however, President Roosevelt privately stated that, "Exploit the resources of an India, a Burma, a Java; take all the wealth out of those countries, but never put anything back into them, things like education, decent standards of living, minimum health requirements - all you're doing is storing up the kind of trouble that leads to war".<sup>140</sup>

(e) Power and influence without responsibility

The American attitude to the commercial aspects of colonialism also illustrates another general tendency within the United States' anti-colonial tradition; namely, an inclination to seek the economic and other advantages of colonialism, but without assuming its responsibilities. For example, in the 1890's some Americans opposed acquiring overseas dependencies because this would entail "a large standing army, a large navy, and a burdensome colonial service, all of which would be extremely costly and would

require the imposition of heavy taxes, as well as being a corrupting force in the nation". The actual "political control of areas abroad" was not necessary; the United States was already "trading successfully with British colonies".<sup>141</sup> The already mentioned opposition of William Jennings Bryan to American acquisition of colonies, "was based on the effect of holding colonies on the interests of the American people, and not the effect on the peoples to be subjugated":

"Imperialism would be profitable to the ship owners, who would be able to carry live soldiers to the Philippines and bring dead soldiers back; it would be profitable to the officials whose salaries would be fixed here and paid over there, and profitable to those who would seize upon the franchises; but to the farmer, to the laboring man and to the vast majority of those engaged in other occupations it would bring expenditure without return and risk without reward."<sup>142</sup>

President Roosevelt's previously mentioned memorandum of January 1941, favoured leased bases in the Caribbean, not ownership; the latter would mean "two million headaches, consisting of that number of human beings who would be a definite economic drag on this country, and who would stir up questions of racial stock by virtue of their new status as American citizens".<sup>143</sup> Earlier in January 1940, when Great Britain was fighting for survival, the United States bombarded her about "violations" of American economic treaty rights due to the wartime imposition of import and exchange restrictions in Kenya and the mandated territories of Tanganyika. Although refusing to join the League of Nations and thus serve on the Mandates Commission, the United States still "confidently" expected the British Government to "recognise" American rights and take steps to ensure that there were no "adverse" effects on American trade.<sup>144</sup>

During the Second World War, the British were suspicious of American attitudes to the future of the British empire. Earlier, however, especially at the Paris Peace Conference of 1919, they tended to favour American entry into the colonial field for the benefit of the indigenous people concerned.

This was recognised by some Americans. For example, Joseph Grew's comment of February 1919 the British "have a very definite feeling that the United States must assume her share of the White Man's Burden".<sup>145</sup> Although President Wilson was so inclined, the Senate was not as is demonstrated in Chapter 4. The United States condemned Turkish atrocities against the Armenians, but refused to assume the mandate for Armenia: "We wished the Armenians well, but we wished them well at a distance. We hoped the resilient Sick Man of Europe would stop butchering them; we sympathized deeply with them in their troubles. We would send missionaries; we would dole out some bread; but that was all. We were not our brother's keeper - especially in other continents."<sup>146</sup>

(f) A failure to appreciate the intricacies of colonial problems

The desire to avoid overseas entanglements which might prove costly and were not directly relevant to American interests, went hand-in-hand with actual ignorance of colonial problems. For example, Duff Cooper records of a lecture tour in the United States during September to November 1939, that his primary objective "was to give information and to correct misunderstanding. Not one percent in any audience had heard of the Statute of Westminster or believed that the Dominions were really self-governing. Equally few were aware of the Mohammedan problem in India or had any idea of the bloodshed that was bound to follow British withdrawal."<sup>147</sup>

Shallow comprehension and lack of knowledge made it comparatively easy for Americans, policy-makers and general public alike, to suggest simple solutions to vexed colonial problems. For example, the cable President Roosevelt sent to Winston Churchill in March 1942 suggesting that the "Continental Congress" and the later "Articles of Confederation" set up by the original thirteen American colonies before creating the American federal union, was a useful precedent which the British could follow with regard

to India: Establish a government "headed by a small group representative of different religions and geographies, occupations and castes" which could "be recognised as a temporary Dominion Government".<sup>148</sup> Not all Americans at the governmental-level, however, believed that United States or European precedents were necessarily applicable to people under colonial rule. For example, when the Philippines achieved independence in July 1946, Henry Stimson, a former governor of the Islands, "still had old doubts" about their ability "to preserve democratic independence".<sup>149</sup>

The lack of knowledge in governmental circles was acute during the First World War. Thus, the Inquiry team set up by Colonel House to investigate the possible problems of a future peace settlement for President Wilson, found that these "are lands intellectually practically unexplored":

"On many of the problems of first rate importance there is a real famine in men and we have been compelled practically to train and create our own experts. This is especially true of problems connected with Russia, the Balkans, Turkey and Africa."<sup>150</sup>

In fact, it was not until after the Second World War and the United States' attainment of international dominance that American scholarship on problems relating to colonialism (and other international issues) flourished. The outstanding work of scholars like Rupert Emerson and Hans Kohn filtered up to government circles, aided by the American practice of ready inter-change between the academic and official worlds. American sentiment generally still remained with dependent peoples, but it became more informed sentiment.

Earlier, at the practical policy level, however, once the United States entered the Second World War, superior manpower and economic resources meant that she dominated Allied policy-making. So far as colonialism was concerned, President Roosevelt and his advisers believed that the United States had sufficient bargaining power to obtain changes in British policy. For example, his remark just prior to the Yalta Conference: "The point is that we are going to be able

to bring pressure on the British to fall in line with our thinking in relation to the whole colonial question".<sup>151</sup> At that conference, however, Winston Churchill strongly expressed his opposition to American plans to include trusteeship provisions in the United Nations Charter:

"I will not have one scrap of the British Empire....lost.... after all we have done in the War....I will not consent to a representative of the British Empire going to any conference where we will be placed in the dock and asked to defend ourselves. Never. Never. Never... Every scrap of territory over which the British flag flies is immune."<sup>152</sup>

Herbert Feis, among others, has argued that, "whatever the President had in the past thought should be done about Hong Kong and other British and French imperial outposts, he did not now risk the whole United Nations project by challenging the Prime Minister".<sup>153</sup> British opposition had also modified earlier American attempts to open up the whole question of European colonialism. The Atlantic Charter Declaration of August 1941 with its ringing Anglo-American statement that "they respect the right of all peoples to choose the form of government under which they will live", and "wish to see self-government restored to those from whom it has been forcibly removed",<sup>154</sup> later served as part of the Afro-Asian ideological justification of their demands for independence. This was also the American interpretation, but the Churchill government, especially the Prime Minister himself, remained firm in the belief that it only applied to those European peoples conquered by the Axis powers. Indeed, throughout the war on such issues as a proposed Anglo-American Joint Declaration on the Colonies<sup>155</sup> and the future of India, by and large the British would not agree to the more radical American proposals.

The Americans, in effect, were unable to exert their full diplomatic and economic muscle. The first priority was to fight the war against the Axis powers. "The necessity of maintaining good relations with the Allied colonial powers and American reluctance to allow outside meddling in problems

of their own territories",<sup>156</sup> moderated the Roosevelt Administration's actual policies as opposed to declaratory pronouncements on colonial issues. As Cordell Hull recognised the United States should not compel the European colonial powers to be more liberal; "we could not alienate them in the Orient and expect to work with them in Europe".<sup>157</sup> British opposition, in the words of Dean Acheson, was an example "of a relatively weak ally by determined... decisions changing and even preventing action by a much stronger one".<sup>158</sup> The modification of the earlier radical American trusteeship proposals in large part was due to this factor combined with the demands of the United States military for unrestricted control over the Japanese Pacific island mandates and, perhaps less importantly, the realisation that a too sweeping United Nations system might also embrace the Virgin Islands and other American overseas dependencies.

The moderation in American policy did give rise "to considerable anti-American feeling among the Indians" (and other dependent peoples), who felt that the United States was "buttressing" the colonial empires.<sup>159</sup> At the time, however, the Americans had more urgent priorities than the well-being of dependent peoples. "Indeed, the yielding up of the South East Asia Command to the British in August 1943 combined with her decision to drop the first atomic bombs, thereby bringing the war with Japan to a rapid end, meant that the United States left the way open for the colonial Powers to make an attempt to restore the pre-War regional colonial status quo. That they were not able to do so was due to their relative economic, military and political decline, and the resistance of the nationalists rather than the exercise of American influence."<sup>160</sup> By the 1970s, and outside the direct purview of this thesis, United States' ambiguity on colonial problems combined with her stands on cold war issues generally (especially Indo-China), communist propaganda, and jealous suspicion of her power and influence, meant that she had

replaced the European colonial powers as the leading white imperialist in the eyes of the Afro-Asian peoples.

g. The Special Relationship

Throughout this chapter a constant theme has been Anglo-American disagreements arising from British colonialism. In fact, at times the American anti-colonial tradition almost equates to an anti-British tradition. So far as colonial matters are concerned, the "special relationship" between Great Britain and the United States has never existed, at least in American eyes. In the words of J.D.B. Miller and David Watt, "the special relationship, fruitful and attractive as it has been, flourishes only in Atlantic water and European soil".<sup>161</sup> The special relationship itself lies outside the scope of this thesis, but a brief mention of it must be made in so far as it, or rather its absence sheds light on American anti-colonialism.

The Roosevelt Administration like many of its predecessors often regarded British overseas interests and stands on colonial matters as fundamentally different from and injurious to those of the United States. For example, after the fall of Singapore in February 1942, Neville Butler of the Foreign Office reported that "the Americans now regarded the British not just as "Imperialists but bungling Imperialists".<sup>162</sup> The prevalent view of the British Empire by American policy-makers and the general public throughout the Second World War was antagonistic. Maurice Colbourne quotes Senator Bennett Clark as stating that "Britain is fighting to retain her hold on the riches of the Empire", and Senator Gerald Nye's belief that the "British Empire is the most despotic, arbitrary and sometimes tyrannical ruler of almost half a billion people".<sup>163</sup>

As already pointed out, underlying these attitudes was acute irritation at British patronizing attitudes. There was also mutual Anglo-American distrust at the highest levels. For instance, Lloyd George described Woodrow Wilson as "cool

and crafty. We shall have to watch that in our efforts to annihilate the Germans we do not annihilate ourselves. One cannot talk publicly like this, but these are factors to be borne in mind."<sup>164</sup> For his part, President Wilson found "the French more open than the British":

"One knew where Clemenceau stood and what he intended to do; one never knew where Lloyd George stood: he never stood twice in the same place."<sup>165</sup>

Woodrow Wilson himself, certainly before he became President, was an anglophile and keen student and admirer of British political institutions. Hartley Notter refers to the fact that the "relationship between England and America was really intimate, to Wilson - so close that he sometimes identified the two as to character, principle, and world obligations, under the pronoun 'our'".<sup>166</sup> As is demonstrated in Chapter 4, his clashes with Lloyd George and the British Empire delegation at the Paris Peace Conference over the German colonies arose from matters of principle and American national security rather than anti-colonial sentiments as such.

This was not the case with Franklin Roosevelt during the Second World War. Although probably one of the best American friends Great Britain has ever had, the President was deeply suspicious of British colonialism. These suspicions sometimes coloured his attitude to the British people as such. For example, in February 1945, a few weeks before he died, Secretary of State Stettinius reported him as saying that "the British were imperialistic and worse than the Argentines" (a pet hate of the President). The Secretary of State recorded that, "It is very apparent that he distrusts the British and dislikes them immensely".<sup>167</sup> In fact, although maintaining superficially friendly relations with Winston Churchill during the war, the President feared the Prime Minister's imperial ambitions and their possible impact on the United States. According to his son, Elliott Roosevelt, he felt that after the war, Winston Churchill

"believed that Great Britain would have a bigger Empire and greater influence, that he would take advantage of the help given by America, and that we would still be in a secondary role".<sup>168</sup> Franklin Roosevelt's dislike of British colonialism will be developed further in Chapters 5 and 6. For the moment it is sufficient to reiterate that throughout the war an "important phase" of his foreign policy was a "vigorous and persistent opposition to colonialism":

"He definitely believed in that section of the Atlantic Charter which affirmed the right of all peoples to choose their own form of government: in his opinion it was as applicable to the peoples of Asia as to those of Europe. His conception of a future world order to be developed through the....United Nations had as one of its basic provisions a final end to imperialism."<sup>169</sup>

There is much wisdom in Michael Howard's comment that in many respects "the 'Special Relationship' was the creation of Winston Churchill."<sup>170</sup> So far as colonialism was concerned, however, there never was such a relationship either before or during the Second World War. To quote Lord Beloff, "The United States for its part, while often seeing eye to eye with the British on matters affecting the stability of Europe and the balance of power in the Far East, never looked on the British or other European empires as positive factors".<sup>171</sup> American plans during both world wars for the future of dependent peoples have to be continually assessed against a backcloth of dislike and suspicion of British colonialism.

#### (h) Sincerity or hypocrisy

Throughout the period covered by this thesis and beyond, the American "gut" reaction was one of sympathy to the aspirations of dependent peoples; especially if this did not cost too much in terms of American help and/or coincided with the perceived national interests of the United States. The question arises, however, as to the extent to which the United States believed that dependent peoples were actually capable of ruling themselves? Certainly, until recently the

white American attitude to their fellow Americans whether black, brown or yellow was one of superiority; a general belief that the latter were intrinsically inferior to whites. In the early days of the American occupation of the Philippines, moreover, the harsh treatment and even torture of Filipino guerillas or those suspected in aiding them, was justified on the grounds that "These people are not civilized".<sup>172</sup> Another unattractive theme during the period under consideration was the American racial attitude to Chinese and Japanese people. Woodrow Wilson, for the times, an enlightened liberal, on behalf of the United States opposed the Japanese desire at the Paris Peace Conference to insert a "racial equality" clause into the League Covenant.<sup>173</sup> Until after the Second World War, moreover, Asiatics faced severe restrictions on immigrating to the United States and were normally "debarred from becoming naturalized Americans".<sup>174</sup> Franklin Roosevelt himself was a man of his time and had many attitudes which would now be denounced as racist. One of his biographers, Ted Morgan points out that he "routinely used the word 'nigger'" and "evidently thought blacks were inferior".<sup>175</sup>

Given this background of endemic and incipient racial prejudice, normal and acceptable for the times in white Anglo-American societies, it is perhaps not surprising that many Americans doubted the capacity of non-white peoples to govern themselves. For example, one American justification for annexing the Philippines, was that self-government should only be given to those "who are capable of self-government".<sup>176</sup> Henry Stimson, then <sup>for a</sup> Secretary of State, after visiting the Islands in 1926, maintained that the Filipinos were racially unfit to govern themselves: "The Malay race is generally characterized by a lack of the power of cooperation in governmental functions and by a lack of initiative". He argued that the United States should retain the Islands and develop them as "self-governing possessions or colonies whose citizens did not participate in our

citizenship". Unusually for an American, Henry Stimson favoured the British empire model; suggesting that the United States learn from the British experience and travel "along that general path the other group of English speaking peoples known as the British empire is already travelling".<sup>177</sup>

Indeed, until well into the twentieth century, like the Europeans, most Americans had a restricted view of the principle of self-determination. Certainly this was the case at the Paris Peace Conference of 1919:

"Self-determination, like the earlier principles of equality and the rights of man to which it bore its uncertain relation, had been proclaimed as a dogma of universal application, but in practice it was not intended by the Western allies to reach significantly beyond the confines of Europe or, even there, to penetrate into the territory of the victors."<sup>178</sup>

Most American leaders justified retaining the Philippines on the grounds that as the Filipinos were not yet capable of ruling themselves, it was the duty of the United States to train them for the tasks of self-government. This attitude was generally true of both Republicans and Democrats. For example, it was the view of William Taft, the future Republican president, when chairman of a commission on the Philippines in 1900. He believed that as the Filipinos were "nothing but grown-up children", a training period of "50 or a hundred years" was required before they would be ready for self-government.<sup>179</sup> At about the same time, Woodrow Wilson referred to the "'peculiar duty' to teach colonial peoples 'order and self-control' and to 'impart to them if possible'" the required "'drill and habit of law and obedience' which the United States inherited from 'English history'".<sup>180</sup>

It was the first Democratic president after Woodrow Wilson, Franklin Roosevelt, whose administration in 1935 set an actual "target date" for the Philippines' independence. Indeed, as Ruth Russell has pointed out, "President Roosevelt's somewhat vague vision of an international

trusteeship system was a projection of United States policy in the Philippines"; a twin theme of "training for self-government and the establishment of target dates for independence".<sup>181</sup> The idea of leading colonies "gradually to independence"<sup>182</sup> combined with target dates where appropriate, was consistently urged by the United States on Great Britain throughout the Second World War. This was at a time when some British ministers knew in their "heart of hearts that most of the colonies, especially in Africa, will probably not be fit for complete independence for centuries".<sup>183</sup> Except for strategic bases, discussed in Chapters 5 and 6, however, the general American view was that more positive steps towards colonial emancipation should be taken than the British desired.

While not necessarily envisaging *independence immediately, or even in the short term*, for long training periods might well be required, the United States favoured dependent peoples having the opportunity to achieve eventual independence. The American anti-colonial tradition, in effect, espoused the longer term goal of the demise of colonialism. Most colonies, however, were ruled by the British and other European powers who had different perspectives from and disagreed with the United States. A measure of international accountability would be one vehicle for both changing the attitudes of the colonial powers and achieving the goal of colonial independence. The remainder of this thesis examines the role of the American anti-colonial tradition as an ideological driving force and an instrument of practical expediency in the debates and diplomatic manoeuvres entailed in establishing the principle of international accountability for dependent peoples in the League mandates and the United Nations trusteeship systems.

## Footnotes

1. Department of State Bulletin, Volume XXX, June 21, 1954, p. 936.
2. The words of Hans Kohn. See Robert Strausz-Hupe and Harry W. Hazard (eds.), The Idea of Colonialism (London, 1958), p. 6-7.
3. For a more detailed examination of this aspect, see K. Twitchett, "The American National Interest and the Anti-Colonial Crusade", International Relations, October 1967, pp. 273-295; and K. Twitchett, "The United States and Le Tiers Monde", International Relations, April 1968, pp. 328-354.
4. This section draws heavily on the ideas set forth in my article, "Colonialism: An attempt at Understanding Imperial, Colonial and Neo-Colonial Relations", Political Studies, October 1965, pp. 300-323.
5. Margery Perham, The Colonial Reckoning, (London, 1963), p. 1.
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9. A. P. Thornton, Doctrines of Imperialism (London, 1965), p. 7.
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11. Albert Hourani, "The Decline of the West in the Middle East", International Affairs, January 1953, p. 31. Although writing specifically of the Arab world, Dr. Hourani's comments are apposite to the Third World as a whole.
12. Quoted in Doctrines of Imperialism, op. cit., p. 194.
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20. Mr. Nehru's report on the Bandung Conference to the Indian Lok Sabha. See Jawaharlal Nehru's Speeches, Volume III, March 1953 - August 1957 (Government of India, 1958), p. 296.
21. Quincy Wright, Mandates under the League of Nations (Chicago, 1930), pp. 3-5.
22. Ibid., p. 5.
23. Ibid., pp. 3-4.
24. Hans Morgenthau, "The Mainsprings of American Foreign Policy", in R. A. Goldwin (ed.), Readings in American Foreign Policy (New York, 1959), p. 625.
25. Ibid.
26. Ibid.
27. Mandates under the League of Nations, op. cit., p. 5.
28. The words of Hans Kohn. The Idea of Colonialism, op. cit., pp. 7-8.
29. Rupert Emerson, From Empire to Nation (Boston, 1962), p. 310.
30. Walter Lippmann, U.S. War Aims (London, 1944), p. 61.
31. Doctrines of Imperialism, op. cit., p. 10.
32. Ibid., p. 12.
33. John Plamenatz, On Alien Rule and Self Government (London, 1960), p. 27.
34. "Colonialism: An Attempt at Understanding", op. cit., p. 315.

35. Ibid., p. 318.
36. George McTurnan Kahin, The Asian-African Conference, Bandung, Indonesia, April 1955 (Ithaca, 1956), p. 44.
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39. "Colonialism: An Attempt at Understanding", op. cit.
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88. Ibid.
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93. Ibid., p. 79.
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96. Alonso Aguilar provides a formidable list of these interventions, especially for the period 1906 to 1916. See Pan-Americanism: From Monroe to the Present, op. cit., pp. 53-54.
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100. Ibid., p. 206.
101. The Idea of Colonialism, op. cit., p. 116.
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130. In the memorandum, President Roosevelt proceeds to discuss the islands defence against Japanese aggression. Ibid.
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173. See Seth P. Tillman, Anglo-American Relations at the Paris Peace Conference (New Jersey, 1961), Chapter II, Part IV, "The Japanese Proposal for a Racial Equality Clause in the Covenant", pp. 300-304.
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182. A phrase often used by Cordell Hull among others. This quote comes from the draft declaration on the colonies which he took to the Allied Foreign Ministers meeting at Moscow in October 1943. For a discussion of the reaction of Anthony Eden, see Churchill, Roosevelt, Stalin, op. cit., pp. 214-215.
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### Chapter 3: International Accountability for the Administration of Dependent Peoples

The United States is usually represented as a firm advocate of international accountability for the administration of dependent peoples. Two principal ideas underlie this concept: the well-being of the indigenous inhabitants (the sacred trust principle); and the belief that accountability should be rendered to the international community at large. An alternative formula for differentiating between the two aspects is to denote them as national and international trusteeship. The sacred trust principle dates back to at least the beginnings of European expansion overseas in the sixteenth century and was sometimes seen as almost synonymous with the sense of mission whereby the European powers justified the extension of their rule to the Americas, Asia and Africa. International accountability itself, is of more recent origin; being rooted in nineteenth century European experience. It is at the heart of both the League of Nations mandates and the United Nations trusteeship systems.<sup>1</sup>

The tendency to regard American traditions and historical experience as of paramount importance in the interplay of precedents and concepts embodied in the League mandates and hence the United Nations trusteeship systems was noted by H. Duncan Hall; there exists "the popular myth" that the mandates system originated in "the sudden welling up in the barren desert of European diplomacy of transatlantic idealism, bearing with it the new gospels of 'no annexation' and the welfare of native peoples".<sup>2</sup> This mental picture primarily derives from the potency of the American anti-colonial tradition analysed in Chapter 2. The notion possesses some validity, but its proponents tend to undervalue the important role played by Old World ideas

and historical experience in creating both the mandates and trusteeship systems. Old World conceptions and precedents anticipated American ones in all aspects of international accountability. They afforded the more important precedents underlying the mandates and trusteeship systems.

This chapter focuses on the roles of the Old World and the United States in the genesis of the notion of international accountability. A constant theme is the impact of the American anti-colonial tradition. The analysis is undertaken by contrasting the roles played by American traditions and historical experience with those of the Europeans in the intellectual continuum underlying the formation of the mandates and trusteeship systems. Particular attention is paid to the role of Great Britain, the foremost nineteenth century colonial power. The chapter itself is divided into two main sections: first, the sacred trust principle; and second, the actual development of international accountability for administering dependent peoples. There is also a brief concluding section on the vital American contribution to the principle of international accountability. The "open door" principle is examined as a component part of international accountability. The narrative itself demonstrates how abstract conceptions can both arise from the contingencies of particular situations and be adjusted to deal with them.<sup>3</sup>

#### 1. The Sacred Trust Principle

This principle expresses the conviction that states with colonial dependencies hold them as a trust of civilisation; the interests of the dependent people taking a clear precedence over those of the metropole. In other words, a "colony must be administered primarily for the benefit of its native population, and that the material interests of the metropolitan Power must be given very

minor consideration".<sup>4</sup> All the European colonial powers emphasised that their governance benefited the dependent people concerned. Unfortunately, the reality did not always equate with their more idealistic declarations. To them, the sacred trust principle meant essentially national trusteeship; the colonial powers being accountable only to themselves. Anglo-American relations in the years immediately following the American War of Independence demonstrate how colonial powers used the well-being of dependent peoples as a guise for furthering their own interests. After that War, Great Britain justified retention of forts and outposts along the borders of the fledgling United States by the need to protect the Indians. Following the outbreak of war with Revolutionary France, however, by the Treaty of Greenville of 1795, London left the Indians to the care of their bitter enemies, the white American settlers:

"the Americans now assumed the old British guarantee to the Indians, and the Indians accepted - they had little choice - the exclusive protection of the United States. For the way that protection was exercised in the future the British felt they had no responsibility."<sup>5</sup>

Originally, the sacred trust principle entailed merely a continuing guardian-ward relationship between the dominant and the dependent peoples. The emphasis was on maintaining law and order; economic and social development in the modern sense holding a very low priority in the colonial powers' scale of objectives until the twentieth century. It was not until 1929, for example, that Great Britain allocated funds for colonial development in areas such as fisheries, forestry, irrigation and water supplies, and tropical agriculture. The Colonial Development and Welfare Acts of 1940 and 1945 carried the matter further by explicitly recognising that welfare needs were an integral part of colonial development. The British argued that the two Acts marked "the ending of the laissez faire attitude towards colonial development" and "the end of platitudinous

talk about trusteeship".<sup>6</sup> The previous British notion of trusteeship as the colonial power's duty to protect the rights of its subject peoples, was augmented by the view that the metropole should also facilitate their economic development and general public welfare; albeit on a scale which would now be regarded as rudimentary if not actually niggardly. Indeed, until after the Second World War, positive welfare government was alien to the ethos of colonial rule; the philosophy of the welfare state ~~was only just becoming~~ fashionable even in Western Europe.

The sacred trust principle's final and logical development, however, requires much more than the pursuit of social and welfare goals; no matter how desirable in themselves they might be. It requires a relationship such that the dependent peoples obtain the economic and political training necessary for self-government. This is another comparatively recent development. For example, George Louis Beer, a thinker in many respects ahead of his time so far as the advancement of dependent peoples was concerned, doubted negro capacity for self-government: "The negro race has hitherto shown no capacity for progressive development except under the tutelage of other peoples".<sup>7</sup> Similarly, during the Second World War, Herbert Morrison maintained that it was "dangerous nonsense to talk about grants of full self-government to many of the dependent territories for some time to come. In those instances it would be like giving a child of ten a latch-key, a bank account, and a shot-gun."<sup>8</sup> Similarly, Sumner Welles and the American State Department planners during the Second World War believed that self-government for dependencies like the Belgian Congo would "certainly take more than a hundred years", and for Portuguese Timor "take a thousand years".<sup>9</sup> They also believed, however, that while not yet able to "make decisions themselves", the purpose of the American "trusteeship programme is to help these people to make their choice".<sup>10</sup>

By the middle of the Second World War, some leading British colonial experts such as Lord Hailey were arguing that trusteeship itself was an out-of-date concept; being decried as patronising and extremely irritating by the opinion-making elites among dependent peoples. The notion of partnership was more apposite in his view, symbolising as it did a relationship whereby Great Britain worked with rather than for its dependent peoples. Lord Hailey recognised that the new partnership relationship would not be one between equals:

"If we need to express ourselves in a formula at all, let our relations be those of senior and junior partners in the same enterprise, and let it be said that our contract of partnership involves the progressive increase of the share which the junior partners have in the conduct of the undertaking."<sup>11</sup>

Whereas British colonial practice traditionally emphasised the "separateness" of dependent peoples, France stressed the need to assimilate her dependent peoples and promote a sense of belonging to French civilisation. Lord Wedgwood underlined this distinction: "The difference between the native under British rule and the native under French rule is that the French coal-black Senegalese nigger can strike his chest and say 'I am a French citizen'. You do not get that same sense of citizenship in any part of the British Empire."<sup>12</sup> The French view was that their dependent peoples' future was neither "independence" nor "self-government", but rather incorporation into the all-embracing bonds of France outré-mer.

In the twentieth century, the Asian, Middle Eastern and eventually Black African leaders, did not wish to be junior associates in essentially European dominated enterprises. They desired freedom, not subordination, no matter how attractive the superficial conditions of their junior partnership. Their ideological banner was the Anglo-American Atlantic Charter Declaration of August 1941. To them, if the sacred trust principle had any meaning at

all, and this itself was extremely doubtful in their eyes, it was assistance towards independence. The question, in European eyes, however, was how to determine the qualifications necessary for independence or self-government. As early as 1932, the League of Nations Permanent Mandates Commission formulated guiding principles for determining satisfactory conditions to be met for changing the status of a mandated territory to that of an independent state:

"In order that a Mandate may become a state it must:  
(a) have a settled government and an administration capable of maintaining the regular operation of essential governmental services; (b) be capable of maintaining its territorial integrity and political independence; (c) be able to maintain internal peace and order; (d) have at its disposal adequate financial resources to provide regularly for normal governmental requirements; (e) possess laws and a judicial organisation which will afford equal and regular justice to all."<sup>13</sup>

It was not until after the Second World War that the majority of Asian and Arab peoples obtained independence; a status not achieved by the African peoples until the late 1950s and early 1960s. In fact, by the 1960s with the then almost universal acceptance, in lip-service if not always in deed, of the principle of self-determination, the sacred trust principle came to be denoted as the duty of a colonial power to prepare its dependent peoples for independence in the shortest possible time. The United Nations Declaration of December 1960 on the Granting of Independence to Colonial Countries and Peoples maintained that self-government was intrinsically superior to good government by an alien metropole:

"All peoples have the right to self-determination, by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence."<sup>14</sup>

In truth, the difference in ethos between the working of the League mandates and the United Nations trusteeship systems is to be discerned in the fact that with the former the emphasis was on "good government" in the sense of law and order, while with the latter it came to be placed on the achievement of independence in the shortest possible time. The voting in the United Nations General Assembly "on almost all colonial issues, exemplifies the prevailing international dogma than in non-self-governing territories the right of the majority to self-government and independence is a moral law overriding the rights possessed by an entrenched minority".<sup>15</sup> The fact that the latter were usually white, whereas the ruled majority were non-white, sometimes gave bitter racial overtones to colonial problems.

a. The Contribution of the European Powers

During the early period of European overseas empire building in the sixteenth century, some attention was paid to the interests of the indigenous inhabitants. For example, in the New world, Queen Isabella urged generous treatment of the Mexican and Peruvian Indians, and some Roman Catholic missionaries endeavoured to popularise their cause in Spain as well as bringing them the benefits of Christianity. The Spanish conquistadors, however, often treated the indigenous inhabitants as pieces of property, heathens lying outside the pale of Christian civilisation. Although humanitarian considerations began to play a role in the treatment of subject races by the middle of the eighteenth century, their welfare still depended upon the humanity and sense of expediency of their imperial masters.

The late eighteenth century revival of the concepts of natural law, however, brought with it the novel propositions that "all men were created equal" and possessed certain "inalienable" rights. At first the

propositions were applied only to peoples of European stock and little attention paid to their possible universal application. For example, as pointed out in Chapter 2, following the American War of Independence, the new United States did not grant citizenship rights to the indigenous Indians and the Negro slaves. Indeed, as was also pointed out in Chapter 2, an underlying cause of the War was the resentment engendered in the American frontier regions by a British proclamation of 1763, treating territory acquired from France as a result of the Seven Years War, as a trust to be held for the Indians:

"One of the main purposes of the proclamation was the preservation of Indian rights to their lands and hunting grounds: 'the several Nations or Tribes of Indians....who live under our Protection, should not be molested or disturbed in the Possession of....their Hunting Grounds'. The hinterlands of the new territories were to be preserved for the use of the Indians and governors were forbidden, 'upon any Pretence whatever, to grant warrants of Survey, or pass any Patents' for such lands. And within the territories themselves private purchase of lands was forbidden."<sup>16</sup>

So far as colonial relationships were concerned, the liberal sentiments underlying the American Declaration of Independence and the Rights of Man of the French Revolution meant that there was now a need to justify imposing the rule of one people over another and for ignoring the "natural right" of peoples to govern themselves. The answer found was that the non-white peoples were not capable of ruling themselves and therefore it was to their advantage to be governed by a civilized white people. Logically, this meant that the latter's rule should be for the subject peoples' benefit, and it was no longer possible to maintain that colonies existed merely for their imperial master's profit.

Edmund Burke, because of his speeches on Fox's India Bill of 1783 and Warren Hastings' impeachment in 1788, is often credited with first applying to the administration of non-white dependent peoples, John Locke's maxim that

political power is a trust. Burke maintained that Warren Hastings had "betrayed" both the "parliamentary trust" of "the Commons of Great Britain" and "the people of India".<sup>17</sup> He developed the sacred trust principle regarding the peoples of India by embracing the notion of accountability: "Every species of political dominion... are in all the strictest sense a trust; and it is of the very essence of every trust to be rendered accountable".<sup>18</sup> Edmund Burke advocated national trusteeship; accountability being rendered to the British Parliament. No reference was made to the argument he had used earlier to vindicate the rebellion of a white dependency; namely, that the bad government of George III's ministers justified the American War of Independence. Indeed, although maintaining that parliament must apply an "imperial justice" by enlarging "the circle of national justice to the necessities of the empire",<sup>19</sup> he did not argue that the Indian peoples had a right to some form of responsible or self-government.

The ethos of late eighteenth century liberal thought gave rise to a few idealistic declarations about the inherent equality of white and non-white peoples. For example, a French revolutionary decree of 1792 stated that "all men, without distinction of colour, domiciled in the French colonies are French citizens and enjoy all the rights assured by the Constitution".<sup>20</sup> So far as the white, subject peoples of Europe were concerned, the "theory of national self-determination was put forward in and after 1848 with growing success in central and central eastern Europe":

"Public opinion in the English speaking countries supported this trend. It endorsed Mazzini, Garibaldi, and Kossuth; it favoured Greeks and Poles. Pasquale Stanislao Mancini....in 1851....declared with words clearly intended against Austria that a state in which several nationalities found themselves forced into a union was not a political body but a monster incapable of life. 'The nationalities', he wrote, 'which do not possess a government issuing from their inmost life.... and which are subject to laws which are imposed upon them

from the outside... have become means for the purposes of others and, therefore, mere objects'. In those words Mancini justified the ethos of national self-determination by linking it with the teachings of Locke, Rousseau, and Kant, with the Declaration of Independence and the Declaration of the Rights of Man."<sup>21</sup>

By 1914, "the notion that the eventual independence of [European] dependencies was inevitable and expedient tended to the notion that it was a right".<sup>22</sup> As the First World War progressed and "its character changed after the Russian Revolution of March 1917, and the entry of the United States into the War one month later, the rights of nationality and of national self-determination became one of the principles for which the Allies avowedly fought".<sup>23</sup> The Bolsheviks' brand of self-determination obtained a world platform, while the Western European concepts of liberalism and nationalism culminated in general Anglo-American pronouncements of postwar self-determination for all the dependent peoples of the Central Powers.

While the application of the principle to European subject peoples was not in much doubt, this was not the case regarding non-white dependent peoples as is looked at further in Chapter 4. In the nineteenth century the notion of eventual self-government for non-white peoples under British tutelage was given some semi-official approval. For example, in 1824, the Governor of Madras, Sir Thomas Monroe, declared that it was Great Britain's duty "to train Indians to govern and protect themselves".<sup>24</sup> Indeed, Thomas Macauley's schemes in the 1830s for reforming British India's administrative and educational systems created the foundation for responsible Indian government envisaged by the Montagu-Chemsford Report of 1918. Thomas Macauley's words when introducing the Government of India Bill before the House of Commons in 1833 are particularly apposite:

"We are told that the time can never come when the natives of India can be admitted to high civil and military office. We are told that we are bound to confer on our subjects every benefit....which we can confer on them

without hazard to our own domination. Against that proposition I solemnly protest as inconsistent alike with sound policy and sound morality....It may be that the public mind of India may expand under our system till it has outgrown that system; ....that, having become instructed in European knowledge, they may, in some future age, demand European institutions. Whether such a day will ever come, I know not. But never will I attempt to avert or to retard it. Whenever it comes, it will be the proudest day in English history."<sup>25</sup>

Earl Grey, the British Colonial Secretary concerned with putting responsible Canadian government into effect, favoured gradually training West African Negroes "until they shall grow into a nation capable of protecting themselves and of managing their own affairs"; a similar doctrine was put forward by the West African Royal Commission of 1865.<sup>26</sup> In 1883, at the height of Europe's last colonial expansion phase, as fervent an advocate of British empire building as J.R. Seeley, observed that there was some doubt as to the expediency of retaining domination over non-white peoples:

"When the state advances beyond the limits of nationality, its power becomes precarious and artificial. This is the condition of most empires; it is the condition....of our own in India."<sup>28</sup>

Some British colonial administrators like Lord Lugard, even viewed the growth of discontent among some of Great Britain's non-white dependent peoples during and immediately following the First World War as an indication of the success of British colonial policy:

"If there is unrest and desire for independence, as in India and Egypt, it is because we have taught the people the value of liberty and freedom, which for centuries these peoples had not known. Their very discontent is a measure of their progress".<sup>28</sup>

Undue importance should not be attached to these sentiments, however, as until well into the twentieth century few members of the British establishment believed that the British Empire's non-white subjects would be capable of ruling themselves in the foreseeable future.

Indeed, while The Durham Report of 1839 advocated responsible self-government for white colonies and the British North American Act of 1867 established the right to self-government for at least some of them, it was not until 1926 that the right of all Great Britain's dependent peoples to a degree of self-government when and where practicable, became official policy.<sup>29</sup> Prior to the Second World War some Arab "nationalities" achieved a measure of independence, but Europe's subject peoples in Asia and Black Africa did not; although some (notably the peoples of the Indian sub-continent) obtained a large degree of responsible government. Finally, the brand of independence achieved by the Arabs during the inter-war years, especially the Iraqi model, today would be denounced by anti-colonialists as a legal fiction; the economic and strategic links with the Western World being stigmatised as examples of neo-colonialism.

b. The Contribution of the United States

Ray Stannard Baker, Woodrow Wilson's biographer, among others, maintained that "the central idea of trusteeship had its deep roots in the traditional principles and policies of the United States".<sup>30</sup> His statement has a certain validity in that as early as 1831 the Supreme Court, via Chief Justice Marshall's judgement on the Cherokee Nation vs the State of Georgia case, ruled that the federal government was in the position of trustee regarding the American Indians. The Chief Justice ruled that the Indians were "domestic dependent nations" under the Federal Government's protection and had an "undisputed right to the lands they occupy":

"They are in a state of pupillage. Their relation to the United States resembles that of a ward to her guardian. They look to our government for protection....and address the President as their great father".<sup>31</sup>

There is also some substance in W.F. Willoughby's claim that American colonial policy was primarily for the dependencies' "benefit or advancement and in no way constituting a field for exploitation in the interest of the mother country".<sup>32</sup> Within the ethos of this liberal outlook, trusteeship notions were frequently mentioned when the United States acquired territory not contiguous to the American mainland for purposes other than settlement. For example, in December 1900, President McKinley declared that the Philippines were "the wards of the nation":

"Our obligation as guardian was not lightly assumed; it must not be otherwise than honestly fulfilled, aiming first of all to benefit those who have come under our fostering care."<sup>33</sup>

Professor Willoughby claimed that two further maxims of American colonial policy were "conferring on territory the largest measure of self-government that the conditions and character of its inhabitants render feasible", and when impracticable to admit a dependency to statehood within the North American Union, to grant its inhabitants "that measure of autonomy or independence which they are fitted to enjoy, and which conditions render safe".<sup>34</sup> His claims have some substance when applied to the territorial results of the American "imperialist phase" of the 1890s. For example, the Senate Resolution of February 1899 on the future of the Philippines:

"it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of the said islands, to prepare them for local self-government, and in due time to make such disposition of the said islands as will best promote the interests of the United States and the inhabitants of said islands".<sup>35</sup>

Although in 1901 the Supreme Court ruled that the Resolution had no legal effect and that the Philippines did

come "under the complete and absolute sovereignty and domination of the United States",<sup>36</sup> in December 1904, President Theodore Roosevelt declared that he "earnestly hoped that in the end they will be able to stand, if not entirely alone, yet in some relationship to the United States as Cuba now stands".<sup>37</sup> The Jones Act of 1916 recognised the Philippines' right to eventual independence:

"It is as it always has been, the purpose of the people of the United States to withdraw their sovereignty from the Philippines and to recognise their independence as soon as a stable government can be established therein."<sup>38</sup>

Thus there was some justification in Theodore Roosevelt's comment of December 1904, that American work in the Philippines was distinguished from that of other "civilized powers" with possessions in the Orient by the "endeavour to develop the natives themselves so that they shall take an ever-increasing share in their government".<sup>39</sup>

Earlier the Berlin Conference on Africa of 1885, had accepted an American suggestion that the authority of any power in the Congo Basin should be based on treaties with the native chiefs. John Kassan, the American representative stated:

"Modern international law follows closely a line which leads to the recognition of the rights of native tribes to dispose freely of themselves and of their hereditary territory. In conformity with this principle, my government would gladly adhere to a more extended rule to be based on a principle which should aim at the voluntary consent of the natives whose country is taken possession of in all cases where they have not provoked the aggression."<sup>40</sup>

The United States, however, was neither directly concerned with nor unduly interested in the Congo Basin, and the adoption of her suggestion was due to the fact that it accorded with both the views of the European powers and the then generally accepted theory of protectorates. But over sixty years prior to the Conference, the growth of American feeling against slavery had led to the foundation of American negro settlements on the West African coast in

1821. Although British abolitionists anticipated this act by founding Sierra Leone in 1788, the latter remained a British colony unlike Liberia which was in theory an independent state.

With regard to Cuba, occupied by the United States at the end of the Spanish-American War, in 1901 the Supreme Court ruled that it was "a territory held in trust for the inhabitants of Cuba to whom it rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action".<sup>41</sup> British occupation of Egypt was also considered to be temporary, but lasted for some fifty years, whereas the United States remained formally responsible for Cuban affairs for only a few years.

The argument should not be unduly stressed, however, as the United States did not desire to preserve undue influence in Liberia. It had almost no significance for American national interests unlike, say, France's interest in Tunisia and Morocco. Moreover, it is arguable whether American "benevolent non-interference" in political matters was actually to Liberia's disadvantage. Washington acquiesced in the American-owned Firestone Corporation's control of a large part of the economy, but was not prepared to take responsibility for Liberia's political development. Furthermore, as was argued in Chapter 2, up to and even after the advent of Franklin Roosevelt's "Good Neighbour" policy in the 1930s, when her interests were threatened, the United States did not shrink from intervening in Cuban affairs and also those of other de jure sovereign Latin American republics in the Caribbean region to preserve what she herself defined as "good" and "stable" government. Again as was also pointed out in Chapter 2, while proclaiming from the outset of her dominion, that the objective was to equip the Philippines for the rigours of an independent existence, the United States took nearly fifty years to fulfil this task. The

result was that her trust was completed only a year prior to the end of British rule in India.

Finally, as shown in Chapter 2, until well into the twentieth century, United States' guardianship of her own non-white population left much to be desired. Even prior to American entry into the First World War, at times this caused some diplomatic embarrassment to the United States. For example, when in September 1915, American ships "were dispatched" to Turkey to give aid and protection to the Armenian Christians, the Sultan's Ambassador in Washington issued a public protest. President Woodrow Wilson instructed his then Secretary of State, William Jennings Bryan, to rebuke him. The ambassador retorted by sending a letter to the White House stating that "the Americans had no business to talk of possible massacres of Christians in Turkey so long as they themselves were lynching Negroes and torturing Filipinos".<sup>42</sup>

## 2. International Accountability

The concept of international accountability expresses the conviction that states with dependent peoples should be accountable to the international community for the conduct of their administration. In other words, "the principle that what an imperial power does inside its empire is the just concern of world opinion".<sup>43</sup> At first these responsibilities were undertaken only by observing the Christian ethic; international accountability being expressed as a responsibility to God. But by the end of the nineteenth century the international community's role was seen as entailing a positive function and came to be represented as the dual mandate principle: "that trusteeship for dependent peoples involved not only duties by the colonizing Power towards the peoples under trust but also obligations towards the family of nations which themselves also had a collective responsibility in the matter".<sup>44</sup>

The dual mandate itself, however, would be better termed the triple mandate comprising as it does three distinct elements. The first is the self-regard of a colonial power; in particular, its duty to God and/or its sense of national honour. The second element is the responsibilities of a colonial power to its dependent people - the sacred trust principle. The third is a colonial power's obligations to the international community; namely, the protection of the interests of external nations in its dependent territories, and a responsibility to other 'advanced' nations when undertaking its 'civilising' tasks. The latter's positive role in late nineteenth century colonial practice should not be unduly stressed. For example, Lord Lugard, whose experiences in West Africa led him to formulate, work out in practice, and to popularize the dual mandate principle, did not favour colonial powers being ultimately responsible to the international community. He believed that in their efforts to further the interests of both the international community and dependent peoples, final responsibility lay with the metropolises themselves.<sup>45</sup>

The open door principle is an integral part of the dual mandate in that it rests on the implicit assumption that dependent peoples' interests are best served when colonial trade is open to all. The principle is examined separately at the end of this section.

International accountability rests on two assumptions. The first is that a high level of general international cooperation exists predisposing the advanced and/or colonial powers to work together in furthering the welfare of dependent and/or non-white peoples. The second is that they will promote that welfare by formulating an international code of conduct, observance to some extent being guaranteed by adequate international supervisory machinery. The reference to dependent and/or non-white peoples is made to emphasise the point that the adoption of

the mandates system was a "next step in a long course of evolution beginning with the action of the Congress of Vienna in 1815", when it was "resolved that all eight members of the Congress, whether possessing colonies in Africa or not, were entitled to participate in the consideration of measures for cooperative action in abolishing the African slave trade, because, as they held, the subject of the relations of civilized states with backward people should be determined by all the Powers collectively".<sup>46</sup>

With regard to international accountability, distinctions should be made between international guarantees in the sense of either generally accepted or legally binding codes governing administration, international supervision to ensure that those codes are actually observed by the administering powers, and international administration in the day-to-day conduct of affairs. As will be shown in Chapters 5 and 6, during the Second World War the British Colonial Office and the American military authorities were united, albeit largely unwittingly, in their suspicion and dislike of international supervision. The American State Department, however, believed that the way to ensure progress by dependent peoples was to have an international body, in which the United States should play a leading role, to supervise the observance by colonial regimes of agreed codes of colonial administration.

The international sanctions which the international community can exert on recalcitrant colonial powers are largely limited to moral persuasion and the threat of bad publicity. The latter helped to persuade the administering powers under both the League mandate and United Nations trusteeship systems to take greater care in presenting and justifying their colonial policies to international opinion than would probably have been the case in their absence. In endeavouring to put policies and actions forward in the

best possible light, the colonial powers perforce re-examined them and perhaps adopted more "enlightened" attitudes as a result. At the same time, moreover, if Great Britain, for instance, adopted more liberal policies in administering Tanganyika and other territories under mandate or trusteeship, this might well "spill over" into its administration of neighbouring Kenya, Uganda and other territories not directly subject to international accountability.<sup>47</sup>

Furthermore, in so far as information on colonial administration was supplied to an international body, the metropolises gave an important role to any international secretariat. Even if the latter merely received and collated that information, the very style of its reports could well influence international opinion. This happened regarding the work of the Permanent Mandates Commission, and became even more important regarding the United Nations Secretariat's role in compiling reports on information given by metropolises for both trust and non-self-governing territories. The vital significance of the colonial powers' undertaking to present information to the United Nations was emphasised by Krishna Menon as early as June 1945:

"The most important innovation now made is to institute a limited system of reporting on all dependent territories. The administering authorities have undertaken an obligation to transmit regularly to the Secretary General for information purposes statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are responsible".<sup>48</sup>

Of crucial importance in international accountability is the degree to which colonial powers are willing to grant supervisory rights to an international body. To some nationalists, the very principle of international supervision is calculated to give annoyance. Ernst Haas underlined this aspect regarding the attitude of French nationalists to the envisaged mandates system at the end of

the First World War. "One could trust to the wisdom of France", wrote Gontaut-Biron, "to organise at her will the liberated territories of which she should take charge":

"France is no longer a minor and has no need of lessons to regulate her conduct. Since there is sufficient proof of her moderation and justice in her past actions we may wonder why it is pretended to tie down her true interests with definite obligations to the contrary".<sup>49</sup>

Indeed, during the planning stages of both the League mandates and the United Nations trusteeship systems many British traditionalists argued that international supervision was unnecessary so far as Great Britain was concerned as her standards of colonial administration were of the highest; in terms of justice, economic and social conditions, higher than in many sovereign states. Similar arguments were made by some Americans during the Second World War when it was suggested that Puerto Rico, Hawaii and other United States overseas possessions might be placed under international trusteeship.

The opponents of international accountability also pointed out the possible danger of confusing where sovereignty and responsibility actually lay. This was underlined by Sir William Battershill, then a Deputy Under-Secretary of State at the Colonial Office, when commenting in November 1944 on the possibility of visits of inspection to territories under mandate:

"Inevitably a visit, made even with the purest of motives will result in an inspection; and the body visiting will at once become the focus for every disgruntled individual and body of individuals....I feel that the authority of the local Government is likely to be considerably reduced by visits....We are proposing to set up a very complex organisation which though comparatively harmless in theory will be apt to become dangerous in practice - dangerous in that they seem to be interposed between the local legislative and Government and the Secretary of State and Parliament."<sup>50</sup>

It was not until the formation of the League of Nations after the First World War that the international community obtained any real influence on the conduct of

colonial administration. As is shown in Chapter 4, under pressure from the United States, particularly President Woodrow Wilson, the Western European colonial powers created the mandates system; the first truly international machinery for supervising colonial administration. Under the mandates system, the League had the right to receive both reports from the administering Powers and petitions from the indigenous inhabitants. The League's principal overseer, the Permanent Mandates Commission, was composed originally of nine eminent private individuals, most of whom had had experience in colonial administration. "The Commission examined written and oral reports presented by the Mandatory Powers once each year, and then reported with observations to the Council of the League which might, or might not, act upon the Commission's recommendations".<sup>51</sup> Unfortunately, the mandates system lacked teeth. The administering powers conducted the day-to-day administration and League supervision was nominal to say the least. The fact that the Permanent Mandates Commission reported to the League Council, meant that the mandatories could expect more sympathetic hearings than if it had reported to the Assembly where all League members were represented. In effect, "the mandates system was a system of national administration under international supervision":

"Members of the Commission could not, or did not, visit the territories to see for themselves how the terms of the mandate were being administered. Nor could natives or inhabitants of the territories present their petitions in person, but only, (except for the Jewish Agency in Palestine) through the mandatory government which might make a written or oral comment on the petition. Many petitions were designated nonreceivable as being couched in abusive language or for other reasons."<sup>52</sup>

The question of supervision and where sovereignty lay under the mandates system intruded into international politics after the Second World War because of South Africa's relationship with South West Africa

(Namibia). Three factors lie at the root of the controversy. The first is that mandates were allocated by the Allied and Associated Powers and not the League as President Wilson originally suggested. The second is that both Article 22 of the Covenant and the individual mandate agreements were either silent or ambiguous as to the question of sovereignty. Indeed, during the discussions of the Allied Council of Ten it was intimated that the class "C" mandates would be eventually annexed by their mandatories; a contingency given tacit approval by the provisions of paragraph six of Article 22 of the Covenant. The third is that both the League Council and the Permanent Mandates Commission were neither able nor exhibited much inclination to put themselves into a position to enforce compliance with their edicts; compliance almost always being a voluntary act on the part of an administering power. If the mandates had been given to "Small Powers", as President Wilson originally suggested, then the League might have been in a much stronger position vis a vis the mandatories, providing it had the open and active support of a sufficient number of Great Powers. The League's lack of power was well illustrated by Japan's failure to comply with the open door and the "no-fortification" provisions of Article 22 of the Covenant. At the time of the League's establishment, however, most academic commentators were in accord with H. W. V. Temperley's belief that the administering powers would not possess sovereign rights in their mandated territories:

"What sharply distinguishes the Mandatory System from all such international arrangements of the past is the unqualified right of intervention possessed by the League of Nations. The Mandatories act on its behalf. They have not sovereign powers, but are responsible to the League for the execution of the terms of the mandate."<sup>53</sup>

Although possessing little validity when applied to the League's actual powers during the interwar years, the comment implicitly recognized the importance of adequate

supervisory machinery for international accountability to have any real substance. Indeed, as is shown in Chapter 7, although there were fewer trust than mandated territories, it was only with the creation of the United Nations trusteeship system that the international community assumed a truly positive role in the conduct of colonial affairs. The anti-colonial group in the General Assembly from the very beginning of the United Nations' existence used its growing numerical voting strength to discredit colonial rule. They were given a legal lever for influencing constitutional developments in trust territories under the provisions of Chapters XII and XIII of the Charter. The Trusteeship Council, while composed of governmental representatives, is equally divided in membership "between those Members of the United Nations which administer trust territories and those which do not".<sup>54</sup> Apart from matters relating to strategic trusts under Article 83, the Trusteeship Council works under the authority of the General Assembly to which it reports, not the Security Council where the two leading Western European colonial powers (France and Great Britain) possess veto powers. Unlike the mandates system, moreover, under the trusteeship system there is provision for the "General Assembly and under its authority, the Trusteeship Council" both to "accept petitions and examine them in consultation with the administering authority" and to "provide for periodic visits to the respective trust territories at times agreed upon with the administering authority".<sup>55</sup>

The second section of Chapter 7, examines the use made by the General Assembly's anti-colonial majority to use their voting strength to attempt to bridge the constitutional gap in the Charter between the United Nations' functions over trust territories and those over non-self-governing territories. Their efforts gave the international community some say, even if at times indirect and more vocal than real, in the administration and

evolution of non-self-governing territories. This activity culminated in Resolution 1654 (XVI) passed by the General Assembly on November 27, 1961, establishing a Special Committee to report on the implementation of the Declaration of December 1960. Despite the antipathy of most of the colonial powers, including at times the United States, the Committee endeavoured to persuade all states administering trust and non-self-governing territories to "take action without further delay with a view to the faithful application of and implementation of the Declaration".<sup>56</sup> Rupert Emerson has maintained that the Committee's greatest achievement has been to furnish "the anti-colonials with a meeting place and machinery to co-ordinate their efforts"; it provides "an invaluable platform from which to broadcast their views to the world at large".<sup>57</sup> Indeed, it is within the realm of publicity that the United Nations has perhaps taken the greatest strides towards greater international accountability for dependent peoples.

So far as Western European colonialism is concerned, only the debris of empire now remain; vexed and highly inflammable though some of those bits and pieces could still be. The impetus towards greater international accountability has been switched from assisting colonial peoples towards an independent existence to helping them tackle the development problems confronting them in their post-independent existence. This aspect of international accountability lies outside the scope of this study.

a. The Contribution of the European Powers

Cooperation for the welfare of non-white peoples. It was indicated earlier in this chapter that attempts to regulate and then abolish the slave trade in the early nineteenth century marked the first significant steps towards international cooperation for the welfare of non-white peoples. At first it was primarily due to British

efforts that the European powers agreed to undertake this task. For example, at the Congress of Vienna, Great Britain extracted a promise from the newly restored Bourbon dynasty that French subjects would be forbidden to engage in the slave trade after 1819. The complementary role of British leadership and naval power were crucial:

"There was only one way of suppressing this trade. If no slave ships crossed the Atlantic, there would be no slaves to sell. The passage of the slave-ships could be prevented if the warships of those nations which patrolled the west coast of Africa had the right to examine all vessels, whatever their flag and nationality, under suspicion of carrying slaves. An effective police measure of this kind required international agreement. Great Britain had more ships on patrol work than any other nation; she had made agreements about the right of search with other Powers, notably, in 1831 and 1833, with France and, in 1835, with Spain."<sup>58</sup>

There were also instances where Great Britain assumed a unilateral right of supervision over another state's guardianship of non-white peoples. For example, she reserved the right to supervise the Nicaraguan administration when renouncing her protectorate over the Mosquito Indians in favour of Nicaragua in 1860. In Emperor Franz Joseph's award in the British-Nicaraguan arbitration of 1881, it was understood that Great Britain's insistence on her treaty rights was neither, "intermeddling" with Nicaragua's internal affairs nor the claiming of "a continued exercise of the relinquished protectorate", but rather the claiming of "a right of its own" to press for observance of the treaty clause assuring "certain political and pecuniary advantages for the Mosquitoes".<sup>59</sup> Similarly, when entrusting Queensland (whose rights were later transferred to the Australian Federal Government) with administering British New Guinea in 1887, and when entrusting the Union of South Africa with administering Basutoland, Bechuanaland and Swaziland in 1909, Great Britain reserved the right to enforce regulations for protecting the indigenous inhabitants.

Moreover, during the Imperial War Cabinet's discussion of the mandates idea towards the end of 1918, Lord Milner maintained that "the mandatory principle" had characterised British administration in Egypt:

"Our administration of Egypt for thirty-five years was carried out on that principle, and subject to innumerable obligations which we consistently fulfilled, at one time even to the extent of giving a decided preference to other nations over ourselves. The more we had been able to get rid in Egypt of a condominium, the more satisfactorily were we able to carry out our duties as a mandatory."<sup>60</sup>

The first important example of multilateral co-operation by the European Powers for promoting the welfare of non-white peoples did not take place until the last quarter of the nineteenth century. Commencing in 1885, at the peak of their rivalry for African colonies, the European powers concluded the series of international agreements known as the Congo Basin Acts. Indeed, H.W.V. Temperley argued that "the only previous analogy in history to the [League of Nations] mandatory system is to be found in the Berlin-Congo Act of 1885 whereby the principal European Powers concerned in Africa entrusted the task of administering the Congo Basin to King Leopold II of the Belgians subject to the limiting conditions of the Berlin Congo Act".<sup>61</sup> Although the Act's primary purpose was to avoid disputes among the interested European powers, Temperley's comment is pertinent in that agreement was also reached on common measures for protecting native welfare: first, abolishing slavery and prohibiting the slave trade (Article XI of the General Act of the Conference marked the final recognition that the slave trade was "forbidden" by the "principles of international law"); second, provisions for the "preservation" of the native tribes and "the improvement of....their moral and material well-being"; third, curtailing traffic in arms, ammunition and spirituous liquors; and fourth, the control of disease.<sup>62</sup> The reference to these measures and the recognition of the

open door for the trade and navigation of all countries in the Basin, was an implicit acknowledgement of the dual mandate. The Brussels Anti-Slavery Act of 1890 underlined the humanitarian objectives of the Berlin-Congo Act. In the words of Suzanne Miers, in developing "the doctrine of international trusteeship the Brussels Act was a landmark ....the idea had been voiced and the responsibility accepted, and the principles embodied in it were adopted by the League of Nations and eventually passed on to the United Nations".<sup>63</sup>

The importance of the Congo-Basin Acts as precedents for the mandates and trusteeship systems should not be unduly stressed. First, Jan Smuts almost certainly conceived his mandates system model as much from the previously mentioned British Empire arrangements as from the experiences of the European powers in the Congo Basin. Second, the provisions of the Berlin and Brussels Acts and the passing reference to the world's public conscience by the use of such phrases as "In the name of Almighty God", did not prevent King Leopold's administration becoming an international scandal. Third, although the Conference allotted the administration of the Basin to King Leopold's International Association of the Congo, the European powers lacked the political will and the supervisory powers necessary to prevent the Congo Free State becoming first, King Leopold's "personal property" and then, by the Belgian Colonial Charter Act of 1909, coming under Belgian sovereignty.<sup>64</sup> Fourth, there was an absence of adequate supervisory machinery in the Congo Basin arrangements. At the Paris Peace Conference, Lloyd George observed that the basic difference "between the mandatory principle and the principles laid down by the Berlin Conference", was the absence in the latter of "external machinery" for ensuring compliance with the dual mandate principle. He declared that this "was no large difference",<sup>65</sup> but the lack of

adequate supervisory machinery had made the provisions of the Congo Basin Acts somewhat ineffective.

International Supervisory machinery. During most of the nineteenth century there was a lack of the political will and the historical precedents necessary for inter-state cooperation to obtain a definite structural pattern in the sense of adequate supervisory machinery for observing agreed codes of international conduct. Thus, although international supervision was sometimes provided for dependent territories, the regulations of the relevant conventions were very indifferently observed. This point is well illustrated by three examples from the European experience prior to the Berlin African Conference of 1885.

The first example is the "mandate" for the Ionian Islands conferred on Great Britain by Austria, Prussia and Russia. The Treaty of Paris of November 1815 declared that the Islands were "an independent state ... under the immediate and exclusive protection of the King of Great Britain and Ireland". The failure to provide adequate "international" supervision enabled Great Britain to expand her "authority until the manifest desire of the people to unite with Greece led to a conference at London which resolved on August 1, 1863, that the islands should be united to Greece" under the sanction of a European Act; Great Britain played the leading role in this grant of self-determination.<sup>66</sup>

The second example is the Concert of Europe's authorisation in 1860 to Napoleon III to send French troops to the Lebanon to protect the Lebanese Christians from persecution and massacre. There was no machinery for supervising the French intervention apart from the fact that the "mandate" was obtained from, and its duration regulated by, a European conference; at first for a period of six months, later extended for a further three months, at the end of which time the French troops withdrew. By

conferring the "mandate" on France, the European powers assumed a collective responsibility for the Eastern Question which contradicted the sentiments of Article IX of the Treaty of Paris of 1856; namely, that it was "clearly understood" that they had no right "to interfere either collectively or separately" in the Ottoman Empire.<sup>67</sup>

The third example is the supervisory functions over the Ottoman Empire's administration of its subject nationalities taken by the European powers at the Congress of Berlin in 1878. For example, the Porte was required "periodically to make known the steps taken [to guarantee the Armenians' security] to the Powers who will superintend their application". Apart from furthering their individual ambitions in the Ottoman Empire, however, the European powers made little practical use of their right of protection.<sup>68</sup>

Nevertheless, the experiences of the Concert of Europe with the Eastern Question provided a body of precedents from which the conventions concluded during the Berlin African Conference of 1885 can be said to have emerged. The absence of adequate supervisory machinery, however, meant that neither set of arrangements provided much more than an emotive model for the League mandates system. The regulations in the conventions governing French and Spanish administration of Morocco agreed to at the Conference of Algeciras in 1906, afforded a more important model. Due to the important American contribution, their examination is deferred until the end of the following sub-section.

b. The Contribution of the United States

Some American commentators have argued that the European experiences were not very important as precedents for the international accountability aspect of the League mandates system. For example, James Murray maintained that "the supervisory powers of the Congresses of Vienna and Berlin, while of an international character, were somewhat

less than effective; and the supervision of England over Australia and South Africa no doubt as effective as the mother country desired, was not really international".<sup>69</sup> Similarly, George Louis Beer pointed out that the British Empire arrangements were "not international but domestic or intra-imperial".<sup>70</sup> It has already been shown that there is substance in this type of criticism; criticism also applicable to the role of the United States in the evolution of the principle of international accountability.

Until the late nineteenth century, the United States followed a policy of "splendid isolation" and did not join the European powers in their first tentative steps towards international cooperation. In fact, during the first half of the nineteenth century she not only retained slavery as an institution in the southern States, but was also the only leading white power who refused to cooperate with Great Britain in suppressing the West African slave trade; this was due in part to the influence of American pressure groups with an economic interest in its retention, and in part to jealousy of Great Britain's naval power and dislike of her naval pretensions. Article 10 of the Treaty of Ghent of 1814 between Great Britain and the United States proclaimed that "the Traffic in Slaves is irreconcilable with the principles of humanity and Justice", and "it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish" its abolition. The United States, however, insisted on compensation for the non-return of slaves carried off by the British during the War of 1812; claims not finally settled until 1826.<sup>71</sup>

As was pointed out in Chapter 2, within the Western Hemisphere, the United States preferred unilateral not collaborative action with the European powers. The Monroe Doctrine, although cloaked in an anti-colonial guise, was essentially a unilateral diplomatic instrument for protecting American national interests rather than for promoting the welfare of the Spanish Americas; hence

Washington's original refusal to join London in a bilateral declaration. The late nineteenth and early twentieth century extensions of the Doctrine by Secretary of State Olney and President Theodore Roosevelt, emphasised American unwillingness to cooperate with the European powers on international issues relating to Latin America.

In the last quarter of the nineteenth century, however, the United States became more willing to cooperate with the European powers in settling the future of the "un-Europeanised" areas of the globe outside the Americas. For example, she was interested in the fate of the Congo Basin. There were three principal American policy objectives:

"First, that all nations should unite in founding 'a great state in the heart of western Africa whose organisation and administration [should] afford a guarantee that it is to be held for all time, as it were, in trust for the benefit of all peoples'; second, that the obligations of this international trusteeship should be 'the civilization of the native races' and the assurance of 'equal privileges for all' as respects 'commercial enterprises'; third, that the proposed trustee State, in order to fulfil its international trusteeship, should be 'neutralized against aggression'."72

Unfortunately, the United States apparently believed that these ideals would be served by King Leopold's International Association of the Congo, and was the first state to recognize it. Moreover, although attending the Berlin African Conference of 1885 and pressing for measures to protect the Congo Basin's indigenous inhabitants, her role was marginal compared with that of the interested European powers. Indeed, attendance at the Conference proved to be only a temporary deviation from the tradition of standing aloof from the affairs of the Old World; the United States failed to ratify the Congo Basin Convention of 1885 and played no significant role in the series of international agreements on tropical Africa enacted between 1885 and 1914.

With the opening of the twentieth century and Theodore Roosevelt's elevation to the Presidency, the United States began to show a more active concern with the affairs of the "un-Europeanized" areas of the globe outside the Americas. In particular, Roosevelt and his Secretary of State, Elihu Root, suggested that the Moroccan Question could be solved if the powers made France and Spain their "mandatories" in Morocco. In February 1906, an American plan based on international accountability was put forward:

"That the senior French and Spanish instructing officers report annually to the government of Morocco, and to the government of Italy, the Mediterranean Power which shall have the right of inspection and verification, and to demand further reports on behalf of and for the information of the Powers. The expenses of such inspection, etc, to be deemed as part of the cost of police maintenance."<sup>73</sup>

As was noted and deprecated by Pitman Potter in the 1920s, however, some commentators underrated this plan as the "modern" model for the League mandates system. Potter quoted from the work of Robert Batsell:

"Batsell....argues that the use of the term 'mandate' by Roosevelt and Root in 1906 'is by no means the first use of the word mandate in its present connotation, that it is used by practically every writer to describe the status of Bosnia and Herzegovina between 1878 and 1908, that it is used repeatedly in the correspondence concerning Egypt after 1880, and that even more clearly than in the Roosevelt correspondence it was used in the negotiations between the representatives of Great Britain, Germany, and the United States at Washington.... (in the summer of 1887)....to discuss the disposal of Samoa'."<sup>74</sup>

Potter's counter-argument maintained that partial adoption of the American plan by the Conference of Algeiras was the origin "of the mandates system in the form in which it now exists and is operated by or under the League of Nations":

"The facts of the matter are that not until 1906 was the mandate scheme worked out so as to assume its present form, that in the Moroccan case it came to possess all the essential elements, i.e. international bestowal of a mandate for administration over colonial territory in a

nation not holding sovereignty of that territory, definition of the mandate, and, most important of all, supervision of the execution of the mandate; that it was....actively put into operation in Morocco - with Swiss rather than Italian inspection on behalf of the powers; and that the plan of 1906 actually was influential in the deliberations of 1919."<sup>75</sup>

Potter's argument has the linguistic merit of distinguishing between the technical use of the terms "mandate" and "mandatory" as employed in the League of Nations Covenant and their frequent late nineteenth and early twentieth century use for describing various types of "restricted" colonial rule. He was correct in pointing out that the Algeciras arrangement was a "favourite model for international colonial reorganisation" for such writers as Walter Lippmann and among "English Liberal and Socialist thinkers in the period 1915-1918".<sup>76</sup> Nevertheless, he neglected to give adequate weight to the fact that their arguments tended to be based on the need to give it "teeth" by providing more viable supervisory machinery: Switzerland's legal rights, power, and status as the international overseer having been far from adequate. Moreover, Potter grossly exaggerated in suggesting that, because the League mandates system was based on the Roosevelt-Root plan via the Algeciras arrangements, it was essentially an American conception. The importance of the plan should not be underrated, but its roots were in the late nineteenth century European experience; to paraphrase Quincy Wright, "doubtless" Roosevelt and Root had "the proposals of the Berlin Congress [of 1885] in mind".<sup>77</sup> Moreover, many of the ideas of George Louis Beer, the principal source of the Wilson Administration's plans regarding international accountability, were based on the experiences of the European powers ~~from the~~ Berlin African Conference of 1885 onwards.<sup>78</sup>

The United States' relationship with its de facto client state, Liberia, in the years immediately preceding

the First World War, affords another important example of international cooperation regarding the problems of non-white peoples. The Liberian government was corrupt and financially insolvent and the United States endeavoured to prevent Liberia's annexation by one of the European powers via "peaceful penetration through economic measures".<sup>79</sup> It "devised the international receivership agreement of 1912, which was administered jointly by the German, French, British and American governments with an American receiver general".<sup>80</sup> The results of this international control were not encouraging and by 1919 "the British and the French frankly urged the Americans to accept a mandate or to establish some form of a protectorate".<sup>81</sup> Some Americans such as George Louis Beer, wished the Americans to assume such responsibilities.<sup>82</sup>

c. The Open Door

The open door principle had many ardent American advocates, but was essentially a British conception, evolving from the efforts of Adam Smith's disciples to obtain Westminster's adherence to free trade in the late eighteenth and early nineteenth centuries. Writing in 1918, George Louis Beer pointed out that the general principle "had been scrupulously regarded in all parts of the British Empire under the control of the London Parliament".<sup>83</sup> Indeed, as applied to colonial dependencies, the germ of the idea was implicit in the previously mentioned British proclamation of 1763, which stated that (at least for Great Britain and the American colonies), "Trade with the said Indians shall be free and open to all our subjects whatever".<sup>84</sup> By the late nineteenth century the principle comprised four basic maxims: first, "that goods of every origin and imported on any vessels should enter a colony on equal terms"; second, "that colonial products may be freely shipped to any destination without discrimination"; third, "that there

should be complete freedom of navigation on rivers"; and fourth, "that foreign merchants and traders should have unrestricted access to such colonies and also full freedom to settle there and hold property".<sup>85</sup> In theory if not always in practice, the need "to protect the natives from exploitation" was "far more important than any arrangement....to secure the interests of the European and American states in....backward countries".<sup>86</sup>

The main American contribution to the evolution of the open door principle was the emotive-propagandist one of frequent denunciation of real and imagined discrimination by the European powers against American trade with their colonies. As indicated in Chapter 2, this facet of the American anti-colonial tradition originated in the economic causes and consequences of the American War of Independence. Thus "from the first moment of independence", the United States "set her face against the European policy of commercial exclusion and monopoly in the colonies, and her whole commercial diplomacy" was "directed to forcing her way into the closed system of the British Navigation Acts". This "policy arose directly from her national economic interests and was not based in any great degree upon theoretical principles, except in so far as it was motivated by a mistrust of colonialism natural in the heirs of the American Revolution". Anglo-American commercial rivalry in the early nineteenth century, especially in the Western Hemisphere, "fed on fear of colonialism and mistrust of political intentions on desire for trade":<sup>87</sup>

"The word colony brought to American minds a train of unpleasant associations. To them it signified the old colonial system instituted by Spain and Portugal and followed in large measure by all the colonizing nations."<sup>88</sup>

Thus, although Great Britain's adoption of free trade policies and efforts to apply open door precepts were appreciated by some Americans like George Louis Beer,

European-American trade rivalry combined with their historical perspective, predisposed most Americans to stress the economic discrimination motive in late nineteenth century European colonial expansion. For example, Ray Stannard Baker's description of President Woodrow Wilson's attitude:

"if the mandatory system were to be sincerely adopted as the policy of the world it meant a knockout blow to many of the advantages of foreign spheres of influence in which the old diplomacy was so deeply interested. It meant for example the 'open door'! And of what use was colonial expansion without economic contact or privilege."<sup>89</sup>

This attitude was pertinent in that the expansion of the international frontier in the late nineteenth century entailed a high degree of European trade and investment in such regions as North and Central Africa, the Levant, Southern Asia and China. To safeguard their economic interests when not assuming sovereignty, the European powers extracted capitulatory rights, leased zones, international zones, and customs receiverships. Their intense rivalry, however, made for attempts at compliance with the open door. For example, the Berlin African Conference of 1885 provided for the open door in the vast area extending across Central Africa from the Atlantic to the Indian Ocean. But this was only done on the suggestion of the United States; the European powers had proposed to confine the open door to the Congo Basin. Moreover, Portuguese Mozambique was excluded and the Brussels African Conference of 1890 permitted the imposition of import duties of up to ten per cent in the Conventional Basin. There was also substance in American protests that their commerce did not prosper as much as that of the European colonial metropolises in their dependencies during the late nineteenth and early twentieth centuries:

"The general effect of the methods of development in the Belgian Congo and of the preferential systems established in the Portuguese and in some of the French possessions was that colonial trade tended to centre on the mother

country. Thus, approximately, one half of the total foreign commerce of the French territories in Middle Africa was with France. This condition was, however, even more marked in the British and German colonies, where there were no discriminatory duties to influence the course of traffic. Of the total trade of the British possessions in this region, fifty-five per cent in 1913-14 was with the United Kingdom. In the case of the German colonies, the percentage was higher still; sixty-three per cent of their foreign commerce in 1912 was with the Motherland."<sup>90</sup>

George Louis Beer pointed out that "the close commercial relations" of metropole and colonies were due not only to preferential systems: "that trade tends to follow the flag is largely inherent in the colonial status".<sup>91</sup> The crucial reason for this was the "personal equation" rather than "protective barriers" in that "it was easier for a Frenchman to do business in a French colony than it was for a German and vice versa".<sup>92</sup> Neither language barriers nor national preference should be underestimated as often there is "greater confidence in a compatriot than in an alien":

"Until national prejudices are eradicated, not until the State is no longer regarded as carrying on trade through its individual members, commerce is bound to follow the flag to a more or less marked extent."<sup>93</sup>

Chapter 2 demonstrated that there was little substance in claims that "America had a more liberal background for its colonial policy than did any of the nations of the Old World" and that "the necessities of commerce and the investment of capital never imposed on" her "obligations for colonial expansion as it did on Great Britain".<sup>94</sup> For example, the economic motive was of great importance in the American annexation of Hawaii. Similarly, by limiting trade from the United States with American Samoa to American vessels, she violated the spirit if not the letter of the open door provisions of the American, British, and German joint Samoan Agreement of 1899. Likewise, treatment of the Philippines as part of her metropolitan territory for commercial purposes was as much a denial of the open

door as if Great Britain had done so with regard to India. Indeed, in May 1918, George Louis Beer remarked that it would be "very awkward for the United States, in view of the existing tariff arrangements in force in Hawaii, Puerto Rico, and the Philippines and the preferential agreement with Cuba", to criticise European open door violations.<sup>95</sup> Furthermore, she was in accord with the European powers in seeking extra-territorial rights and like privileges in the international frontier regions. Beer pointed out that "the clearest enunciation" of capitulatory rights was "in the Treaty of 1830 between the United States and Turkey":

"Citizens of the United States of America, quietly pursuing their commerce, and not being charged or convicted of any crime or offence, shall not be molested; and even when they may have committed some offence they shall not be arrested and put into prison by the local authorities, but they shall be tried by their Minister or Consul, and punished according to their offence, following in this respect, the usage observed towards other Franks."<sup>96</sup>

The fact that in, say, Egypt, American extra-territorial rights were "obeyed to the letter",<sup>97</sup> illustrates the tendency of the United States to criticise European "imperialist" practices while pursuing her commercial activities under the cloak of their protective power. In one respect at least the European powers were more enlightened than the United States in that unlike her they were willing to undertake "civilizing" and political responsibilities in return for their privileges. However, two points should be made in the United States' favour: first, concern with the open door often entailed the notion that its "application should not only be rigid, but that the manner of the application should be for the benefit of the country to which the door leads"<sup>98</sup>; and second, the economic aspects of American anti-colonialism as expressed at the Paris Peace Conference, played the leading role enshrining the open door principle in the League mandates system.

Quincy Wright among others, emphasised that the "mandates conception as set forth by General Smuts and the President Wilson did carry a general requirement of the open door";<sup>99</sup> that mandated territories should offer equal economic opportunities to all League members. The "United States subsequently insisted that it was only after this requirement had become an 'understanding' of the Peace Conference that it felt itself able and willing to agree that the assignment of certain enemy territory by the victorious powers would be consistent with the best interests of the world".<sup>100</sup> The principle was incorporated into the "A" and "B" class mandate <sup>agreements</sup> without undue difficulty. The delay in approving "C" class mandates, however, was due in part to an unsuccessful Japanese attempt in the face of Australian and New Zealand opposition to have it applied to those in the Pacific region. The Japanese argued that the "principle of equality of treatment in the economic sphere must be understood among the guarantees provided...in the interest of the native population";<sup>101</sup> the guarantees of equality of treatment in Article 22 of the Covenant were "as much in the interests of the native population as in that of foreign nationals".<sup>102</sup>

The Permanent Mandates Commission included in its questionnaires requests for information about economic equality for all League members in trade with mandated territories. Economic equality was discussed, for example, at the Commission's twelfth session in October 1927. M. Rappard, among others, emphasised that the safeguards regarding economic equality "were inserted for the advantage of the inhabitants and not merely for the benefit of individual Members of the League":

"The clause prescribing economic equality had been inserted in the Covenant both in the interests of the territory and in the interests of the States Members of the League. In his opinion, those interests were one and the same. There might, however, arise a contradiction between the interests of the mandatory power and the

interests of the mandated territory, and in that case it was for the Mandates Commission to intervene in order to obtain a solution favourable to the mandated territory."<sup>103</sup>

As is demonstrated in Chapter 4, during the interwar years, the United States consistently emphasised the open door provisions of the mandates system and her rights to equality of economic opportunity under them. In the immediate period prior to her entry into the Second World War, she made various representations to the colonial metropolises stressing American treaty rights to commercial access to particular dependencies. A good illustration is the example quoted in Chapter 2 of the State Department's note to the British Foreign Office of January 1940 protesting at the imposition of import and exchange regulations in Kenya and mandated Tanganyika in November 1939. The Americans were also suspicious of the complex system of imperial commercial preference established by the British Empire and Commonwealth under the Ottawa Agreements of 1932. The preferences were designed to achieve imperial self-sufficiency during the bleak international economic climate of the interwar years and, in part, to help protect the British colonies and Dominions from undue commercial penetration by American business concerns.<sup>104</sup> The American attitude to them is well illustrated by Sumner Welles' comments in May 1943:

"The whole history of British Empire preference is a history of economic aggression....[Other] countries found their markets throughout the vast reaches of the Empire restricted, and the prosperity of their people correspondingly impaired. Such a system is adopted to 'protect' the people within the country employing it, but it strikes at the interests of other peoples as surely as if this were its object, and makes more difficult of solution their problem of getting a living."<sup>105</sup>

Throughout the Second World War, the Roosevelt Administration attempted to use Great Britain's urgent need of American economic assistance as leverage to obtain London's consent to postwar modification if not total

abolition of imperial preference and the adoption of more open door policies in British colonies. Particular attention was focussed on securing London's adherence to the proposed American draft of what became ~~article~~ four of the Atlantic Charter Declaration of August 1941:

"They will endeavour to further the enjoyment by all peoples of access, without discrimination and on equal terms, to the markets and to the raw materials of the world which are needed for their economic prosperity."<sup>106</sup>

Winston Churchill disliked the phrase "without discrimination and on equal terms" as it might "prejudice the future of Imperial Preference", but believed that President Roosevelt would accept British amendments "for the sake of speedy agreement".<sup>107</sup> The President eventually accepted those amendments rather than delay publishing the Atlantic Charter Declaration:

"they will endeavour, with due respect for their existing obligations to further the enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the World which are needed for their economic prosperity."<sup>108</sup>

Secretary of State Cordell Hull, who had not attended the Newfoundland meeting, considered the qualifying phrase, "with due respect to their existing obligations deprived the article of virtually all significance, since it meant that Britain would retain her Empire tariff against which I had been fighting for eight years".<sup>109</sup> He failed to obtain a supplementary statement from London to the effect that the phrase did not preclude the adoption of a liberal postwar British economic policy regarding Empire and Commonwealth trade generally.

Cordell Hull then attempted to obtain British agreement to the economic equality clause in the American draft of Article VII of the pending Anglo-American Lease-Land Agreement. At first the British were "unwilling to barter Empire preference in exchange for money and goods, i.e. planes, tanks, guns", and wanted to include a clause stating that the word "discrimination" did not apply "to

special arrangements between Members of the same commonwealth or federation such as the British Commonwealth and the United States of America and its possessions".<sup>110</sup> After considerable American pressure, the British unenthusiastically accepted the American text of Article VII in February 1942. The postwar consequences of Article VII were minimal, but the negotiations themselves demonstrate the American commitment to economic equality and the open door as well as the potency of the economic aspects of the United States anti-colonial tradition. The eventual outcome of the negotiations also illustrate the changing Anglo-American balance of power: the British need for American economic and other assistance was such that they had to accept Washington's conditions.

The Americans were also committed to having open door clauses inserted into any postwar trusteeship system succeeding the League mandates system. The key individual, apart from Cordell Hull and his commitment to international tariff liberalisation, was Benjamin Gerig; a former official of the League of Nations' secretariat and the wartime chairman of the State Department's Committee on Dependent Areas.<sup>111</sup> The American role in incorporating open door provisions into the United Nations trusteeship system is examined in Chapters 5, 6 and 7.

### 3. The Vital American Contribution to the Evolution of the Concept of International Accountability for Dependent Peoples

Despite the qualifications contained in this Chapter, the traditions and historical experience of the United States did play a unique role in the intellectual genesis of both the League mandates and the United Nations trusteeship systems. Initially, this derived from the fact that her anti-colonial tradition predisposed the United States during the First World War to oppose either the return of the dependencies of the Central Powers or their

annexation by any of the Allied and Associated Powers. Similar considerations pertained during the Second World War with the additional factor that the Roosevelt Administration wanted the mandates system extended rather than watered down or abolished as the British desired. American traditions, however, did not entail the belief that non-white peoples were automatically equipped for the tasks of self-government. Indeed, as indicated in Chapter 2, the United States was predisposed to favour international accountability for dependent peoples almost by default; there being no other possible solution to the problem of the disposal of the Central and Axis powers' dependencies in keeping with her traditions. The actual evolution of American wartime planning regarding the creation of both the League mandates and the United Nations trusteeships systems is the subject of the remaining chapters of this study. For the moment it is sufficient to state that a crucial factor was the impact of American democratic and anti-colonial principles on Presidents Woodrow Wilson and Franklin Roosevelt. Although their policies were tinged with expediency, the tenacity and principles of both were vital ingredients in developing the principle of international accountability for dependent peoples.

#### Footnotes

1. Three excellent studies covering the origins of international accountability are H.N. Chowdhuri, International Mandates and Trusteeship Systems (The Hague, 1955); H. Duncan Hall, Mandates, Dependencies and Trusteeship (London, 1948); and Quincy Wright, Mandates under the League of Nations (Chicago, 1930).
2. Mandates, Dependencies and Trusteeship, op. cit., p. 92.

3. This chapter draws upon my articles, "The Intellectual Genesis of the League of Nations Mandates System: A Study of the relative importance of the traditions and historical experience of the United States", International Relations, April 1966, pp. 16-39; and "The Colonial Powers and the United Nations", Journal of Contemporary History, January 1969, pp. 167-185.
4. George Louis Beer, African Questions at the Paris Peace Conference (New York, 1923), p. XIX. George Louis Beer was The Inquiry's chief colonial expert and his work was of great importance in formulating American ideas on the future League of Nations mandates system. He became the American adviser on colonial questions at the Paris Peace Conference and was appointed as the first Secretary of the League's Permanent Mandates Commission. His premature death in 1920 deprived both the United States and the League of the services of a wise and compassionate advocate of international accountability for the administration of dependent peoples.
5. H. C. Allen, Great Britain and the United States (London, 1954), p. 276.
6. The words of Arthur Creech Jones, the Labour Party specialist on colonial questions, in a House of Commons debate on May 21, 1940.
7. African Questions at the Paris Peace Conference, op. cit., p. 179.
8. The Manchester Guardian, January 11, 1943.
9. Postwar Planning Files of the State Department, "Notter Files", Box 51, Minutes, April 10, 1943.
10. Ibid., Box 52, April 17, 1943.
11. House of Lords debates, Hansard, May 20, 1942, C. 1095.
12. Ibid, C. 1098.
13. The Permanent Mandates Commission formulated these criteria in response to Great Britain's request that her mandate for Iraq be ended. See John Knudson, A History of the League of Nations (New York, 1938), p. 164.
14. General Assembly Resolution 1514 (XV), adopted December 14, 1960.

15. "The Colonial Powers and the United Nations", op. cit., p. 168.
16. Mandates, Dependencies and Trusteeship, op. cit., p. 98.
17. The Works of Edmund Burke, nine volumes (London, 1839), Volume 7, p. 267.
18. Ibid, p. 269.
19. Ibid, p. 23.
20. Rupert Emerson, From Empire to Nation (Boston, 1962), p. 69.
21. Hans Kohn "The United Nations and National Self-Determination", Review of Politics, Vol. 20, October 1958, p. 527.
22. Mandates Under the League of Nations, op. cit., p. 12.
23. "The United Nations and National Self-Determination", op. cit.
24. A. D. A. de Kat Angelino, Colonial Policy, translated from the Dutch by G. J. Renier (The Hague, 1931), Volume 1, p. 13.
25. "The United Nations and National Self-Determination", op. cit., p. 532. Professor Kohn underlines that the trusteeship idea "provided the rationale for British rule in India". Ibid.
26. Eric A. Walker, The British Empire: Its Structure and Spirit (London, 1943), p. 51.
27. J. R. Seeley, The Expansion of England (London, 1883), p. 46.
28. Frederick D. Lugard, The Dual Mandate in British Tropical Africa (London, 1922), p. 618.
29. British Imperial Conference, Summary of Proceedings 1926, Cmd. 2768.
30. Ray Stannard Baker, Woodrow Wilson and World Settlement (New York, 1922), Volume 1, pp. 227 and 262.
31. Cited in Alpheus H. Snow, The Question of Aborigines in the Law and Practice of Nations (Washington, 1919), pp. 38-39.

32. W. F. Willoughby, Territories and Dependencies of the United States, (Washington, 1905), p. 11.
33. Mandates Under the League of Nations, op. cit., p. 13, note 24.
- 34.. Territories and Dependencies of the United States, op. cit., pp. 11-12.
35. Mandates Under the League of Nations, op. cit., p. 13, note 24.
36. Ibid.
37. Ibid., p. 13-14.
38. Ibid., p. 14.
39. Ibid.
40. The Question of Aborigines in the Law and Practice of Nations, op. cit., p. 152.
41. Mandates Under the League of Nations, op. cit., p. 13, note 23.
42. W. W. Gottlieb, Studies in Secret Diplomacy During the First World War (London, 1957), p. 93, note 2.
43. Comment of Rita Hinden, former secretary of the Fabian Colonial Bureau. See "The Future of the Mandates: a Symposium", African Affairs, October 1944, p. 169.
44. Mandates, Dependencies and Trusteeship, op. cit., p. 105.
45. Lord Lugard defined the "dual mandate" as "the dual responsibility of controlling powers in the tropics viz as trustees to civilization for the adequate development of their resources and as trustees for the welfare of native races". See The Dual Mandate, op. cit., p. 617. For an excellent study of his attitudes and career in tropical Africa and as a member of the League of Nations' Permanent Mandates Commission, see Margery Perham, Lugard: The Years of Authority, 1898-1945 (London, 1960).
46. Alpheus H. Snow, The Mandatory System under the League of Nations (New York, Academy of Political Science, Proceedings VIII), p. 434.
47. A number of works on the League mandate and the United Nations trusteeship systems demonstrate the importance of the publicity. In particular, see Ralph A. Austen,

"Varieties of Trusteeship: African Territories under British and French Mandate, 1919-1939", in Prosser Gifford and William Roger Louis (eds), France and Britain in Africa: Imperial Rivalry and Colonial Rule (New Haven, 1971); B.T.G. Chidzero, Tanganyika and International Trusteeship (London, 1961); W. J. Hudson, Australia and the Colonial Question at the United Nations (Honolulu, 1970); James N. Murray, The United Nations Trusteeship System (Illinois, 1957); George Thullen, Problems of the Trusteeship System (Geneva, 1964); and Quincy Wright, Mandates Under the League of Nations.

48. Foreign Office 371/50810; June 20, 1945.
49. Ernst B. Haas, "The Reconciliation of Conflicting Colonial Policy Aims: Acceptance of the League of Nations Mandates System", International Organisation, Volume 6, 1952, p. 530.
50. Colonial Office 968/162/14814/11A.
51. Benjamin Gerig and others, "Colonial Aspects of the Postwar Settlement", International Conciliation, April 1942, p. 206.
52. Ibid.
53. H. W. V. Temperley, History of the Paris Peace Conference, 1919, Vol. II (London, 1924), p. 236. *My Italics.* Professor Temperley was the official British historian of the Paris Peace Conference.
54. See Article 86 of the United Nations Charter for details of the Trusteeship Council's composition.
55. See Article 87 of the Charter.
56. The wording of Resolution 1654 (XVI).
57. Rupert Emerson, "The United Nations and Colonialism", in K. Twitchett (ed.), The Evolving United Nations (London, 1971), p.98.
58. Sir Llewellyn Woodward, The Age of Reform, 1815-1870 (Oxford, 1962), p. 240-1. The quotation applies to Lord Palmerston's efforts in the 1840s, but also affords a good illustration of Great Britain's role in suppressing the slave trade. A good study of this role is Suzanne Miers, Britain and the Ending of the Slave Trade (London, 1975).
59. Mandates Under the League of Nations, op. cit., p. 21, note 46.

60. David Lloyd George, The Truth About the Peace Treaties (London, 1938), Vol. I., pp. 118-9. As was indicated by Lord Milner, the nineteenth century European experience of condominiums and direct internationalisation was not regarded as a success at the time of the First World War. For example, George Louis Beer believed that the "system of the condominium has proved open to grave objections, as is sufficiently shown by its record in all past history, notably in the case of the New Hebrides; the only successful surviving instance is Andorra. Direct internationalisation is equally perilous." See African Questions at the Paris Peace Conference, p. XX-XXI.
61. History of the Paris Peace Conference, Volume VI., (London, 1924), page 502. Temperley's comment should not be given undue weight, however, as in Volume II, page 236, published in 1920, he had argued that the analogy was limited in that "the right of foreign nations to interfere in cases of abuse or alleged abuse of power, was successfully contested by both France and Belgium". Instead, Temperley maintained that "the past affords no counterpart to the Mandatory System. Perhaps the closest analogy to it is to be found in British Imperial History".
62. For an examination of the Berlin African Act of 1885, see A.B. Keith The Belgian Congo and the Berlin Act, (Oxford, 1919).
63. Britain and the Ending of the Slave Trade, op. cit., p. 319.
64. Great Britain, backed by the United States, strongly urged that Belgium assume legal responsibility for the Congo. See Roger Anstey, King Leopolds' Legacy (London, 1966), Chapter 1.
65. Foreign Relations of the United States, Paris Peace Conference, 1919, Volume III, p. 750.
66. Mandates Under the League of Nations, op. cit., page 18, note 38.
67. Ibid., page 19, note 40.
68. Ibid.
69. The United Nations Trusteeship System, op. cit., p. 8.
70. History of the Paris Peace Conference, Volume II, op. cit., p. 236.

71. Great Britain and the United States op. cit.,  
p. 343.
72. The Question of Aborigines in the Law and Practice of Nations, op. cit., page 131.
73. Pitman Potter, "Origin of the System of Mandates Under the League of Nations", American Political Science Review, November 1922, page 578. Potter subjected the Roosevelt-Root plan to a full, but in my opinion biased examination.
74. Pitman Potter, "Further Notes as to the Origin of the System of Mandates Under the League of Nations", American Political Science Review, November 1926, page 842. See also W. R. Batsell, "The United States and the System of Mandates", International Conciliation, October 1925.
75. Potter, "Further Notes", op. cit., page 845.
76. Ibid., p. 845-6. See also Walter Lippmann, The Stakes of Diplomacy, (New York, 1915); Anonymous, "Windows of Freedom", The Round Table, December 1918; Anonymous, "Some Principles and Problems of the Settlement", The Round Table, December 1918; and Henry R. Winkler, The League of Nations Movement in Great Britain, 1914-1919 (New Jersey, 1952), Chapter VIII.
77. Mandates Under the League of Nations, op. cit., p. 20.
78. The background papers which George Louis Beer prepared for The Inquiry, were published in his African Questions at the Paris Peace Conference. In his editorial foreword, Louis Gray states that George Louis Beer's brief study on Mesopotamia (dated January 1, 1918) contains the earliest use, "so far as is known either to Mr. Beer or to the writer, of the term 'mandate' in which it is now technically employed". Ibid., p. XVIII-XIX.
79. Foreign Relations of the United States, 1919, Vol. II, p. 494.
80. Wm. Roger Louis, "United States and the African Peace Settlement of 1919: The Pilgrimage of George Louis Beer", Journal of African History, Vol. 4, No. 3 (1963), p. 422.
81. Ibid.
82. Ibid., p. 422-3. This aspect is considered further in Chapter 4.

83. Ibid., p.388.
84. Mandates, Dependencies and Trusteeship, op. cit., p. 98.
85. African Questions at the Paris Peace Conference, op. cit., p. 215-6.
86. Ibid., p. 425.
87. Great Britain and the United States, op. cit., p. 370-1.
88. J. F. Rippey, The Rivalry of the United States and Great Britain over Latin America, 1808-1830 (London, 1929), p. 111.
89. Woodrow Wilson and World Settlement, Volume 1, op. cit., p. 73.
90. African Questions at the Paris Peace Conference, op. cit., p. 213-4. George Louis Beer was describing the economic problems of "Middle Africa" in a paper for The Inquiry, dated May 2, 1918.
91. Ibid., p. 214.
92. Ibid., p. 102.
93. Ibid.
94. Ray Stannard Baker's remark. See Woodrow Wilson and World Settlement, Vol. 1, op. cit., p. 262-3.
95. African Questions at the Paris Peace Conference, op. cit., p. 105.
96. Ibid., p. 357.
97. Ibid.
98. David Hunter Miller, The Drafting of the Covenant, Volume I (New York, 1928), page 20. Quotation from a paper submitted by Miller to Colonel House on December 1, 1918.
99. Mandates Under the League of Nations, op. cit., p. 260.
100. Ibid; see also pp. 475, 477 and 479.
101. United States Foreign Relations, Paris Peace Conference 1919, p. 642. Statement in the Council of the Heads of Delegations at Paris in December 1919.

102. Ibid., p. 645.
103. See Philip Jessup's dissenting judgement in the South West Africa Case. (International Court of Justice, Reports of Judgements, Advisory Opinions and Orders, South West Africa Cases, Second Phase, Judgement of 18 July, 1966), p. 384. See also Permanent Mandates Commission, Minutes of the Twelfth Session, p. 66.
104. Whether or not the Ottawa Agreements were very effective is not so important for the purposes of this study as what they were thought to be achieving by the Roosevelt Administration during this period. For detailed examination of the agreements, see Ian Drummond, Imperial Economic Policy, 1917-1939 (London, 1974).
105. Address at Toledo, May 8, 1943. See Sumner Welles, The World of the Four Freedoms (London, 1944), p. 101-2.
106. My Italics. See Sumner Welles, Where are we Heading (New York, 1946), p. 11. Sumner Welles, then Assistant Secretary of State, attended the Atlantic Charter meeting, playing a leading part in the drafting of the final Anglo-American Declaration.
107. Winston Churchill, The Second World War, Vol. III The Grand Alliance (London, the Reprint Society, 10th Impression, 1961), p. 351.
108. The Atlantic Charter is reproduced as Appendix B in Ruth Russell and Jeannette Muther, A History of the United Nations Charter (Washington, 1958), p. 975. For a summary of the Atlantic Charter discussions, see Ibid., p. 34-43. The implications for dependent peoples of the Atlantic Charter are discussed in Chapter 5 of this thesis.
109. The Memoirs of Cordell Hull (New York, 1948), p. 975-6.
110. Note from John Winant, American ambassador in London, to Cordell Hull, dated February 6, 1942. See Foreign Relations of the United States, 1942, Volume VI, p. 530-1.
111. Among Benjamin Gerig's numerous publications relating to trusteeship and the open door are "Colonies in an Eventual World Settlement", International Conciliation, No. 369, April 1941; with others, "Colonial Aspects of the Postwar Settlement", International Conciliation, No. 379, April, 1942; and Open Door and the Mandates System (London, 1930).

## Chapter 4: The United States and the League of Nations Mandates System

The League of Nations mandates system was an arrangement whereby dependent territories formerly belonging to two of the defeated Central powers of the First World War, Germany and Turkey, were placed under the guardianship of certain of the victorious Allied powers as an alternative to their annexation by the victors. The United States played a key role in formulating that system. Both during the First World War and at the Paris Peace Conference, she was more interested than the Entente powers in placing the ex-enemy dependencies under some form of international supervision. This is not to dispute that pre-dating American ideas, wartime suggestions by British liberal and socialist groups for disposing of the German and Turkish dependencies envisaged mandate-type schemes; their ideas being drawn upon by Jan Smuts in composing his famous The League of Nations: A practical Suggestion.<sup>1</sup> General Smuts, along with Philip Kerr, also largely drafted Article 22 of the League of Nations Covenant setting out the basic principles of the mandate system.<sup>2</sup>

The unique American role lay in the fact that unlike Great Britain and her Dominions, the United States was not interested in obtaining further overseas responsibilities. Some Americans would have liked Washington to lay claim to Germany's Pacific island colonies, but these had been conquered by Australia, New Zealand, and Japan prior to American entry into the war. The need to restrict Dominion and Japanese control over these Pacific islands combined with the potency of the American anti-colonial tradition, predisposed the United States to oppose any of the Allied powers obtaining outright ownership of the German and Turkish dependencies. It was not considered practical to grant the dependencies their immediate independence, nor was

it part of the American tradition to hold that all non-white dependent peoples were automatically fitted for the tasks of self-government and independence. Consequently, although there was some support for the Arabs' right to national self-determination, American traditions made for sympathy with the idea of some form of international administration for the German and Turkish dependencies. A solution based on direct international administration or some form of condominium was not favoured because of the belief that previous examples of these types of administration had proved unsatisfactory.

Perhaps the most immediately important American contribution to the creation of the League mandates system, was the election of a President in 1912 who ardently believed in the American democratic-value system.<sup>3</sup> Influenced by American documents like the Virginia Bill of Rights, the Declaration of Independence, and the United States Constitution, Woodrow Wilson held "that when properly directed, there is no people not fitted for self-government".<sup>4</sup> President Wilson himself admitted that there were degrees of fitness,<sup>5</sup> but believed that administering powers had a duty to make the best possible arrangements for their dependencies' social and political evolution. He brought to American wartime planning and the Paris Peace Conference a firm belief in the sacred trust principle without advocating immediate independence for all dependent peoples whose affairs were the Conference's concern. President Wilson also had a sense of involvement regarding their eventual fate; far more perhaps than would have been the case if the United States had been represented by a less fervent proponent of her democratic-value system.

This Chapter itself is divided into four sections: an analysis of the proposals on dependent territories which the United States brought to the Paris Peace Conference in 1919; an investigation of the American role in the Conference' decision to establish the League mandates system; an

examination of American involvement in the League mandates system; and an overall survey of the American contribution to that system. Self-determination and issues such as which territories should be placed under mandate and who should be their administering authorities, are probed only in so far as they shed light on the American role in formulating and institutionalising the principle of international accountability for dependent peoples. Throughout, the emphasis is on the influence of the American anti-colonial tradition on the Wilson Administration's efforts to enshrine the principle of international accountability within the League mandates system.

Three general factors should be borne in mind. The first is the relative lack of planning undertaken by the United States prior to the Paris Peace conference of 1919 on either the envisaged League of Nations or the problems of dependent peoples. The chief vehicle for official American planning on these questions during the First World War was the American Commission of Inquiry (popularly known as the Inquiry), set up under the direction of Colonel House in the autumn of 1917, not the State Department.<sup>6</sup> The "Inquiry's studies of African, Asian, and Pacific problems suffered for lack of qualified, trained scholars":

"With almost no exception, no writer whose services were mobilized by these divisions of the Inquiry could have been described as of 'expert' calibre in terms of his assigned subject at the time he started his work. Numerous missionaries, lawyers, and ancient historians took up the cudgels, accepting invitations to submit reports on subjects for which prior knowledge might prove valuable but was not judged prerequisite by the Inquiry's leadership. American higher education had not become alive to African, Asian, and Pacific studies before 1917."<sup>7</sup>

The American National Archives lists 54 Inquiry papers on Africa, 220 on the Middle East, 131 on the Far East including India, and 23 on the Pacific Islands including Australasia.<sup>8</sup> Unfortunately, the Inquiry failed to liaise sufficiently with the State Department and was not very

successful in communicating with the President.<sup>9</sup> The "Black Book" listing the various Inquiry "recommendations" was not presented to the five American plenipotentiaries until the opening of the Paris Peace Conference in January 1919.<sup>10</sup> Moreover, prior to the Conference opening, no concrete proposals were officially enunciated by the United States regarding an international mandates system. Indeed, although there is some evidence to support Louis Gray's claim that the Inquiry "recognised" the colonial problem "as one of the most important" falling within its terms of reference,<sup>11</sup> it was only with President Wilson's proposed second draft Covenant of the envisaged League of Nations, dated January 10, 1919, (otherwise known as his first Paris draft) that the United States formulated a specific, official blueprint on the scope and framework of a mandates system. The President's proposals, however, had part of their germination in earlier American wartime thinking upon the future international treatment of colonial problems.

The second qualifying factor is the limited nature of the Paris negotiations themselves on the future of dependent peoples. The Allies were concerned primarily with reaching agreement among themselves regarding the peace settlement and the terms to be offered to the defeated Central powers. The mandates system formed only a relatively minor part of the League of Nations. Within the Woodrow Wilson Administration there had been some suggestions of a wider review of the colonial problem and the application of international accountability as opposed to considering only the disposal of the former German and Turkish dependencies. For example, in November 1918, the members of the American Naval Planning Commission suggested that "the internationalisation of all of Africa except Egypt, Algeria and South Africa would appear to be the best solution of the African problem"<sup>12</sup>. Neither the United States nor its allies, however, raised the general matter of European colonialism at the Paris Peace Conference. Colonialism at

the Conference was confined to a specific question; disposing of the dependent territories formerly belonging to Germany and Turkey. The United States, moreover, was in a disadvantageous position in that those territories had all been occupied by her new Allies prior to American entry into the War. The United States controlled none of them.

The third general factor is that during the First World War there was little inter-Allied cooperation regarding the basis of any general international settlement. The Americans were also very suspicious of the war aims of Great Britain, Japan, and to a lesser extent France. Woodrow Wilson's confidant and biographer, Ray Stannard Baker, maintained that the United States' wartime allies, "Though outwardly...combating imperialism as symbolized by Germany...were themselves seeking vast extentions of their own imperial and economic power".<sup>13</sup> As was pointed out in Chapter 2, the American anti-colonial tradition contributed to that suspicion. For example, Secretary of State Robert Lansing told Arthur Balfour "that there still lingered in the minds of our people the old feeling that the British Empire was our hereditary foe".<sup>14</sup> The Americans were even more suspicious of Japanese ambitions; suspicions which played a large part in the formulation of American mandate proposals as is shown later in this chapter.

#### 1. The Proposals on Dependent Peoples which the United States brought to the Paris Peace Conference

The following analysis of the specific proposals on dependent peoples which the United States brought to the Paris Peace Conference is divided into three broad inter-related themes; the proposals' restricted nature; American views on the future of the enemy dependencies; and the attention paid to the best interests of the dependent

peoples concerned. In so doing the evolution of the mandate idea within the Wilson Administration is also traced.

In January 1918, President Wilson enunciated his famous Fourteen Points, intended as proposals for achieving a just peace settlement. Point V was on colonial claims:

"A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty, the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined."<sup>15</sup>

There was no condemnation of colonialism as such, merely its possible abuse. The vagueness of Point V and the President's various declarations on self-determination caused some fear in Great Britain and France of a possible American desire to re-open all colonial questions. The official Cobb-Lippmann commentary on the Fourteen Points refuted any such intention:

"Obviously it is not so intended. It applies clearly to those colonial claims which have been created by the war. That means the German colonies and any other colonies which may come under international consideration as a result of the war."<sup>16</sup>

The commentary proceeded to state that the future of the German colonies after the war would be determined by resolving "Equitable" claims and the "interests of the populations concerned":

"What are the 'equitable' claims put forth by Britain and Japan....that the colonies cannot be returned to Germany? Because she will use them as submarine bases, because she will harm the blacks, because she uses the colonies as bases of intrigue, because she oppresses the natives. What are the 'equitable' claims put forth by Germany? That she needs access to tropical raw materials, that she needs a field for the expansion of her population, that under the principles of peace proposed, conquest gives her enemies no title to her colonies."<sup>17</sup>

President Wilson opposed the return of the German colonies because he believed that Germany's rule had not been in indigenous inhabitants' best interests.<sup>18</sup> This attitude reflected the views of his advisers. Thus, George

Louis Beer wrote in February 1918, that "there is no reason for the re-establishment of German rule":

"In view of Germany's total failure to appreciate the duties of colonial trusteeship in the past, it affords scant assurance that in the future these colonies would be administered by her in the interests of the natives and of the world as a whole."<sup>19</sup>

In addition to moral scruples, it was realised in Washington at an early stage that it would be futile to favour a restoration policy no matter how qualified, as this would be rejected by the Allied powers now occupying the German colonies. For example, George Louis Beer observed that return of the Bismarck Archipelago and the German Samoan Islands "to Germany would be bitterly resented by Australia where a policy akin to the Monroe Doctrine has been firmly rooted in the popular mind. A strong feeling prevails against permitting any European Power to gain a foothold south of the Equator, and the original establishment of Germany was resented as an intrusion."<sup>20</sup> In another report for the Inquiry, Beer noted South Africa's desire for an "African Monroe Doctrine" and opposition to restoring South West Africa to Germany. He also underlined an interesting historical analogy with America's colonial experience drawn by H. C. Egerton in June 1915:

"British statesmen are well aware of the part that bitterness at the return of Louisbourg - New England's conquest - to France in 1748 played in bringing on the American Revolution... and they will not lightly risk a renewed schism in the Commonwealth of Nations for such a cause."<sup>21</sup>

President Wilson himself, moreover, in October 1918 informed the British government via Colonel Wiseman that he was "absolutely opposed" to restoration.<sup>22</sup> While on route for the Paris Peace Conference, the President declared his opposition both to returning Germany's colonies or their annexation by one of the Allied great powers. Instead, he thought "the German colonies should become the common property of the League of Nations and administered by 'small states'".<sup>23</sup>

With regard to the Turkish Empire, it should be remembered that the United States never declared war on Turkey and thus took no formal part in the actual disposal of the Turkish dependencies. Point XII of the Fourteen Points, however, dealt with the Turkish dependencies:

"... the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity for autonomous development."<sup>24</sup>

While no mention was made of their becoming sovereign entities, it was realised in Washington that the Porte's control over parts of the Turkish Empire had often been no more than nominal; de facto sovereignty resting with either local overlords or the European powers. For example, in a paper for the Inquiry dated July 31, 1918, this point was underlined by David Hunter Miller who argued that the American programme did not "necessarily" require "the abandonment of Turkish sovereignty" over its dependencies "in a strictly technical sense", but any remaining sovereignty "should be no more than nominal".<sup>25</sup> Some members of the Inquiry also recognised that Anglo-French ambitions precluded both restoration and immediate independence for the Turkish dependencies. For example, the Cobb-Lippmann commentary on the Fourteen Points stated that "Syria has already been allotted to France by agreement with Great Britain", the latter being "clearly the best mandatory for Palestine, Mesopotamia and Arabia".<sup>26</sup> Indeed, as early as January 1918, George Louis Beer proposed a mandate for Mesopotamia, and in February of that year, one for the Cameroons.<sup>27</sup>

This early American interest in a mandates system is somewhat at variance with the assumption of some writers, including his biographer Ray Stannard Baker,<sup>28</sup> that President Wilson took over the mandates idea from Jan Smuts' pamphlet, The League of Nations: A Practical Suggestion, after he reached Europe.<sup>29</sup> Similarly, David Hunter Miller attributes the development of the essential ingredients of

the mandates system to General Smuts not Dr. Beer in his authoritative text, The Drafting of the Covenant.<sup>30</sup>

Certainly, the first American draft proposals for a League of Nations made no reference to a mandates system; this only appeared with President Wilson's first Paris draft Covenant after he had read General Smuts' pamphlet.<sup>31</sup> Nevertheless, as Charles Seymour pointed out, the latter was not published until December 16, while on December 10, 1918, when still aboard the "George Washington", the President expressed "his hope that the territories taken from the German and Turkish Empires would become the property of the League", with small not great powers acting as administrators.<sup>32</sup> Indeed, in the previously mentioned conversation with Colonel Wiseman in October 1918, Woodrow Wilson stated that while having "little faith in international administration for the German colonies" he favoured administration by single states "in trust" for the League of Nations.<sup>33</sup>

Until roughly the formulation of his first Paris draft Covenant, however, the President's views were somewhat nebulous and incomplete compared with General Smuts' precise proposals for applying the mandate concept "to the peoples and territories formerly belonging to Russia, Austria, and Turkey".<sup>34</sup> For example, Woodrow Wilson's suggestion of small states as mandatories was never a viable proposition. In the words of his own Secretary of State, Robert Lansing, "It seemed obvious from the very first that Powers, which under the old practice (of taking enemy territory as the spoils of war) would have obtained sovereignty over certain conquered territories, would not be denied mandates over those territories".<sup>35</sup> The Secretary of State also emphasised that Jan Smuts' mandate suggestion "caught the fancy of the President, as was evident from his frequent repetition and approval of it in discussing mandates under the League. Just as General Smuts had adopted the President's 'self-determination', Mr. Wilson seized upon the Smuts idea with avidity and incorporated it in his plan. It

unquestionably had a decided influence upon his conception of the right way to dispose of the colonial possessions of Germany."<sup>36</sup>

It was realised quite early on in Washington that the proposed mandates would need differing models of administration; one common factor being "open door" provisions. George Louis Beer's previously mentioned report of January 1918 stressed that administrative responsibilities "must be entrusted to different States acting as mandatories of the League of Nations. These mandates cannot, however, be uniform but must vary with the circumstances of the different cases".<sup>37</sup> The report also stressed that there should be a "deed of trust" embodying "most rigid safeguards both to protect the native population from exploitation and also to ensure that the interests of other foreign States are not injured either positively or negatively".<sup>38</sup> The Cobb-Lippmann commentary on the Fourteen Points also stated that "exploitation should be conducted on the principle of the open door" so far as the former German colonies and Turkish dependencies were concerned.<sup>39</sup> In his previously quoted conversation aboard the George Washington, President Wilson underlined that in his envisaged mandates system "the resources of each colony should be made available to all members of the League of Nations".<sup>40</sup>

As has been indicated in the preceeding analysis, President Wilson and his advisers like George Louis Beer paid considerable attention to the application of the sacred trust principle to the future administration of the former German and Turkish dependencies. For example, the Cobb-Lippmann commentary declared that the "interests of the populations concerned" was one of the principles under which the former German colonies' future was to be settled:

"That they should not be militarized, that exploitation should be conducted on the principle of the open door, and under the strictest regulation as to labor conditions, profits and taxes, that a sanitary regime be maintained, that permanent improvements in the way of roads etc. be made, that native organisations and custom be respected,

that the protecting authority be stable and experienced enough to thwart intrigue and corruption, that the protecting power have adequate resources in money and competent administrators to act successfully."<sup>41</sup>

The commentary made no reference either to the dependent peoples right to self-determination or their cooperation in the day-to-day administration of the territories concerned. It did emphasise, however, that Administering powers should be accountable to the international community in executing their trust:

"a colonial power acts not as owner of its colonies, but as trustee for the natives and for the interests of the society of nations, that the terms on which the colonial administration is conducted are a matter of international concern and may legitimately be the subject of international inquiry and that the peace conference may, therefore, write a code of colonial conduct binding upon all colonial powers."<sup>42</sup>

The last quoted phrase appears to indicate that the United States favoured an international covenant covering the administration of colonies other than the ex-enemy ones. This is somewhat at variance with the commentary's statement quoted earlier that Point V was limited to the "colonial claims which have been created by the War". Indeed, there is some evidence that the Inquiry toyed with the idea that the future peace conference should draw up a general code of colonial administration applicable to territories other than the former German ones. For example, in a memorandum by George Louis Beer, dated December 31, 1917:

"In the case of any transfer of territory in Central Africa, and possibly even in the existing dependencies, it might... be definitely established that the state exercising sovereignty in Africa is proceeding under an international mandate and must act as trustee primarily for the natives and secondarily for the outside world as a whole. There could be elaborated a code of native rights, prohibiting forced Labour in all its forms thus assuring to the native his legitimate rights to the soil, and protecting him from the evils of western civilization, such as intoxicants."<sup>43</sup>

Nothing concrete materialised, however, from these American flirtations with the idea of extending the scope of

international accountability beyond the former German and Turkish dependencies, apart from the provision in Article 23(b) of the League Covenant whereby Members of the League undertook "to secure just treatment of the native inhabitants of territories under their control". Indeed, at that time there was little possibility of the principle of accountability being extended beyond the former German and Turkish dependencies due both to the practical difficulties involved and, more significantly, the jealousy of the European and other colonial powers at any apparent infringements of their colonial sovereignties.

In conclusion, the American plans for a measure of international accountability for dependent peoples prior to the Paris Peace Conference can be summarised as follows: first, essentially restricted to the former German and Turkish dependencies; second, if possible, placing them under the aegis of the smaller powers acting as League agents; and third, a colonial charter guaranteeing them good government, but little faith in the dependent peoples exercising the right of self-determination at any foreseeable date; this being further off in the case of the former German colonies than for the Turkish ones. The United States, however, had not developed comprehensive schemes for the practical embodiment of the colonial aspects of the Fourteen Points in the peace settlement; still less a detailed mandates system. George Louis Beer was almost alone among official Americans in seriously considering even some of the problems involved in formulating a mandates system. President Wilson himself believed in democratic precepts and the "open door", but had done little deep thinking about the practical application of his Fourteen Points generally or a future League mandates system specifically. But then, as President of the United States, he had more pressing claims on his time than international accountability for dependent peoples. In one vital respect,

however, the President was adamant; the Allied powers should not annex the former German and Turkish dependencies.

2. The American Role in the Creation of the League of Nations Mandates System at the Paris Peace Conference.

This section is divided into three parts: the emergence of the mandates system as a method of disposing of the former German and Turkish dependencies; the American role in promoting the interests of the latter's indigenous inhabitants including some suggestions by President Wilson which if they had been adopted would have further safeguarded those interests; and the attention which the United States paid to its own interests. Particular attention is paid to the American efforts to restrict Japanese control over the former German Pacific islands north of the equator.

Disposing of the German and Turkish Dependencies. There were four possible solutions to this problem: restoration, independence, annexation, or some form of international responsibility for their administration. Restoration was not favoured by the Allied and Associated Powers. The common belief was that German pre-1914 colonial administration had been inferior to that of the other colonial powers. Moreover, as was shown earlier, President Wilson opposed their return, while France, Great Britain and Japan had various territorial claims based on actual occupation and secret wartime treaties.<sup>44</sup>

A measure of independence had been envisaged for Turkey's various dependent peoples, but the German ones were widely regarded as "barbarians" who Jan Smuts in his pamphlet on The League of Nations maintained "not only cannot possibly govern themselves, but to whom it would be

impracticable to apply any idea of political self-determination in the European sense".<sup>45</sup> As already indicated, although in general agreement with this statement, President Wilson favoured "no annexation", while General Smuts believed that they should be annexed by suitable Allied powers. In fact, the Conference's negotiations over their future was essentially a conflict between the proponents of outright annexation and those favouring some degree of international accountability. Of the Allied powers interested in the question, only the United States in the person of President Wilson actively opposed annexation. His first Paris draft of the League Covenant dated January 10, 1919, strongly advocated non-annexation and applying the mandates system to all ex-enemy colonies.<sup>46</sup>

Belgium, France, and Japan put forward claims to German and Turkish dependencies. The British stand was ambiguous. Although there were some territorial ambitions and advocates of annexation in the Cabinet, at an early stage Great Britain was "willing to accept the trusteeship principle, because the mother country had no desire for further colonies, Lloyd George declaring that 'it exactly described the British colonial system as it then existed'".<sup>47</sup> Lloyd George, however, could not ignore the annexationist ambitions of Australia, New Zealand, and South Africa. On grounds of national security, Australia and New Zealand demanded certain Pacific possessions such as Samoa and New Guinea, and South Africa wished to acquire South West Africa. The issue was essentially between the United States (in the person of her President) and the Dominions, particularly the two Australasian ones, rather than between the United States and Great Britain.<sup>48</sup>

The British "Draft Convention Regarding Mandates", based in large part on Jan Smuts' original mandates plan, was acceptable to President Wilson. It envisaged two types

of mandate; corresponding to what became the "B" and "A" class mandates:

"'vested territories' which in consequence of the late war are to be transferred to any states shall be held by such states upon trust to afford to their inhabitants peace, order and good government"; and "'assisted states' which... are to attain their independence, shall be entitled to such assistance as they may desire for the purpose of securing peace, order and good government for the population of those states."<sup>49</sup>

France accepted the British distinctions after President Wilson agreed to a special concession whereby she could raise native troops in her mandated territories.<sup>50</sup> The three Dominions opposed the British plan, however, and insisted on exceptions being made for the former German Pacific Islands south of the Equator and South West Africa. Although deadlock threatened when President Wilson refused to agree, the problem was resolved by General Smuts' suggestion of what became the "C" class mandate:

"there are territories, such as South West Africa and certain of the Islands in the South Pacific, which owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory state, as integral portions thereof, subject to the safeguards above mentioned in the interests of the indigenous population."<sup>51</sup>

President Wilson played the dominant role in rejecting undiluted annexation and adopting the mandates system. In addition to the power and prestige of the United States combined with his own idealism and tenacity (or obstinacy), two factors strengthened his position. The first is that the pre-Armistice agreement in so far as reference was made to former enemy dependencies, was based on the Wilsonian "no annexation" principle. Thus, as they were committed to this principle in theory, the proponents of annexation had to couch their demands in the form of justifiable exceptions to the principle. The second and perhaps key factor emerged during the actual Paris discussions; namely, the states

favouring annexation secured, or at least believed they secured, enough of the substance of annexation within the mandates system mechanism to make unnecessary further opposition to the President's "no annexation" precepts. In fact, Woodrow Wilson himself did not rule out dependent peoples eventually expressing a "desire" for "union" with their mandatories.<sup>52</sup> Nevertheless, he did secure the colonial powers' acceptance of the principles of no annexation and international accountability in exchange for mandates being allocated by the Allied and Associated Powers instead of the League of Nations and recognising the occupying powers as the actual mandatories. Furthermore, the immediate impact of President Wilson's brand of anti-colonialism was diluted, but it had helped to gain international acceptance of a new formula for dealing with colonial questions. Although at the time limited to a specific solution to a particular problem, it provided a precedent for more general application in the future and as such was a major landmark in the development of the principle of international accountability for dependent peoples.

The United States and the interests of the former German and Turkish dependent peoples. The American and British delegations played the leading roles in formulating the notion of "trust" contained in Article 22 of the Covenant on the best interests of the indigenous populations of the enemy dependencies (for details of Article 22, see Appendix 4 of this thesis). Those interests were emphasised in all three of President Wilson's Paris draft Covenants. South Africa (Jan Smuts) and Great Britain, however, were responsible for most of the actual drafting of the relevant paragraphs of Article 22. The Permanent Mandates Commission, moreover, so crucial in the evolution of the principle of international accountability for dependent peoples, was a British not an American conception;

originating in clause 7 of the British "Draft Convention Regarding Mandates" of January 24, 1919.<sup>53</sup>

The principle of international accountability would have been further extended if four proposals outlined in one or other of President Wilson's three Paris drafts of the Covenant had been adopted. The first was the right of peoples under mandate to approve of their mandatory. His first Paris draft Covenant "demanded approval of the mandatory by the area's inhabitants",<sup>54</sup> but the second Paris draft merely maintained that "whenever or wherever possible or feasible the agent or mandatory" should "be nominated or approved by the autonomous people or territory". The third Paris draft was further limited and stated only that so far as "certain communities formerly belonging to the Turkish Empire" were concerned, their "wishes... must be a principal consideration" in selecting the mandatory power.<sup>55</sup> The President's "consent" principle was eventually only applied to what became the "A" class mandates. The phraseology of President Wilson's third Paris draft was exactly reproduced in Article 22, paragraph 4 of the Covenant:

*"Certain communities formerly belonging to the Turkish Empire have reached a stage of development when their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration on the selection of the Mandatory." (Italics added)*

Apart from the King-Crane Commission, however, there is little evidence to suggest that real attempts were made to ascertain the indigenous inhabitants' wishes. President Wilson had obtained reluctant French and British agreement in principle to send an investigatory commission to the Middle East to ascertain Arabs opinion. He sent an American commission when they failed to take any action.<sup>56</sup> The King-Crane Commission's report of August 1919 showed considerable feeling against French administration in any form by the Arabs of the Fertile Crescent; over 60% of the petitions it

received, opposed a French mandate as the Arabs believed that in practice this would mean little less than outright annexation. They desired independence and if that was impossible, the preference was for the United States and Great Britain as mandatories in that order.<sup>57</sup> The report had no influence upon mandate distribution; and the United States took no official part in the discussions leading to the Turkish Peace Treaty and hence was not involved in the actual distribution of the Turkish dependencies.

The second of President Wilson's unadopted proposals was outlined in Supplementary Agreement III of his second and third Paris draft Covenants. It maintained that the purpose of all "tutelary oversight and administration on the part of the League of Nations shall be to build up in as short a time as possible out of the people or territory under its guardianship a political unit which can take charge of its own affairs, determine its own connections, and choose its own policies".<sup>58</sup> During the Paris Conference deliberations it was agreed that "A" class mandates should eventually achieve independence, but for the "B" and "C" class mandates this remained at best an indefinite goal; as was mentioned previously, President Wilson himself being prepared to countenance the "C" class ones eventually becoming integral parts of their respective mandatories' sovereign domains.

President Wilson's third proposal was related to the second one. Supplementary Agreement III stated that "the League may at any time release" a territory under mandate and "consent to its being set up as an independent unit".<sup>59</sup> Article 22 makes no reference at all to this point. The President was forced to drop this proposal; Australia and New Zealand in particular being completely opposed to giving the League the right to terminate mandates. Indeed, as already pointed out, the future mandatories objected to their mandates being handed to them by the League; the eventual disposition being made by the Council of Ten.

Lord Curzon, then British Foreign Secretary, underlined in a speech to the House of Lords in June 1920 that, "It is quite a mistake to suppose that under the Covenant of the League or any other instrument the gift of a mandate rests with the League of Nations. It rests with the Powers who have conquered the territories, which it then falls to them to distribute."<sup>60</sup>

The fourth proposal concerned the right of petition. It had two aspects and was referred to in all three of President Wilson's Paris draft Covenants. The first aspect was that peoples under mandate should have "the right to appeal to the League for the redress or correction of any breach of the mandate by the mandatory state or agency or for the substitution of some other State or agency, as mandatory". The second was that it should "be their right and privilege to petition the League" to release them from tutelage:

"upon such petition being made it shall be the duty of the League to take the petition under full and friendly consideration with a view to determining the best interests of the people or territory in question in view of all the circumstances of their situation and development."<sup>61</sup>

Neither proposal is mentioned in Article 22. The European colonial powers objected to it on two grounds: first, it was impractical; and second, the right of petition would cause unrest in mandates and make the mandatories' work unduly difficult. Underlying the objections was the consideration that rights of petition would diminish the mandatories' unfettered control over mandates. Although prepared to pay limited lip-service to international accountability, the powers concerned were unwilling to concede very much to ensure that the principle was actually implemented.

At an early stage, however, the inhabitants of mandates began to petition the League. Consequently, acting on a set of British proposals, the Permanent Mandates Commission

approved procedural rules for handling petitions in January 1923. These permitted appeals regarding the redress of grievance in a very limited sense only; there was no right of petition for removing a bad mandatory or granting independence.<sup>62</sup> In practice, the right of petition was used primarily by the inhabitants of the "A" class mandates, rarely by the "B" and "C" class ones. The emerging right of petition served two principal purposes: first, the indigenous inhabitants had an opportunity to air grievances; and second, the petitions themselves were important sources of information and supervisory power for the Permanent Mandates Commission. The development of the right of petition went some way towards making international accountability a meaningful as opposed to a nominal part of the administration of the mandated territories. Unfortunately, as she failed to join the League, the United States took no part in this process.

American interests and the formulation of Article 22. These were largely responsible for the 'open door' provision in Article 22 that the mandatories will "secure equal opportunities for the trade and commerce of other Members of the League". The clause applied only to the "B" class mandates specifically, however, and the United States later attempted to make arrangements with the mandatories of the "A" and "C" class ones to implement open door arrangements in her favour. This aspect is considered further in Section 3 of this chapter.

The Covenant references in Article 22 to "no fortification" and prohibitions on the military training of the indigenous inhabitants of "B" and "C" class mandates, owed much to influence of American anti-colonialism in general and American security interests in the Pacific in particular. According to his biographer, Ray Stannard Baker, President Wilson disliked the use of native troops in the First World War.<sup>63</sup> General Smuts' pamphlet on The

League of Nations had suggested that in territories formerly belonging to Austria, Russia and Turkey, mandate arrangements should prohibit "military forces beyond the standard laid down by the League for purposes of internal police".<sup>64</sup> Woodrow Wilson, as with many of his other mandate proposals, extended this suggestion and applied it to the former German colonies in his first Paris draft of the Covenant: "The mandatory state or agency shall in no case or form maintain any military or naval forces in excess of definite standards laid down by the League itself for the purposes of internal police".<sup>65</sup> As previously mentioned, the President agreed to France's right to raise native troops; a condition for her acceptance of the mandate system. Ray Stannard Baker's concluding remarks on the question of native troops as a whole, aptly summarises the disquiet of Woodrow Wilson and his associates at "the process of militarizing Africa" and the possible historical parallels with the fall of the Roman Empire:

"One recalls the Roman Empire, in its declining days, conscious of being the exponent of some of the highest aspects of civilization, calling in the resources of jungle savagery to defend her against her stronger, cruder, more virile neighbours. The Romans themselves, depleted and debilitated, posted their barbarian legions on the European frontiers - Ethiopians, Arabs, Persians, and what-not....But such forces, called in from without, and bred steadily from within, failed to save the Roman Empire, and rather hastened its decline."<sup>66</sup>

This general fear of the possible consequences to Western "civilization" of arming non-white peoples is related to the American desire at the Paris Peace Conference to limit Japanese control over the former German islands north of the equator; the "no fortification" clause of Article 22 being an important part of the Wilson Administration's overall strategy. Mention was made in Chapter 2 of the American suspicions of Japanese ambitions in the Pacific region. Woodrow Wilson himself both mistrusted Japan and recognised the strategic value to the

United States of the German "islands in the North Pacific which Japan held":

"these islands lie athwart the path from Hawaii to the Philippines and....were nearer to Hawaii than the Pacific coast was, and....could be fortified and made naval bases by Japan; that indeed they were of little use for anything else and....we had no naval base except at Guam."<sup>67</sup>

The Japanese claim to the islands at the Paris Peace Conference was based on possession by conquest and the Anglo-Japanese Treaty of February 1917. In a report to the Inquiry in November 1918, George Blakeslee pointed out "that all classes in the Japanese population agreed on the retention of the islands by Japan".<sup>68</sup> A major preoccupation of American diplomacy was limiting Japanese control of the islands in the interests of American security.

Dr. Blakeslee underlined that "the greatest value of these islands to Japan from a naval and strategic view would be in potential or actual conflict with the United States".<sup>69</sup>

Consequently, notwithstanding President Wilson's various pronouncements on no annexation or territorial gains, it is perhaps hardly surprising that American acquisition of the German Pacific islands was mooted by members of his Administration. For example, Assistant Secretary of State, Breckinridge Long, in a memorandum to the American peace mission in Paris, dated December 14, 1918, revealing suspicion of Great Britain as well as Japan, proposed that Germany's former Pacific possessions be restored to her prior to their acquisition by the United States from Germany in payment of war reparations:

"The United States was not interested in the islands held by British forces, except Samoa, in which America had a 'considerable interest'. For strategic reasons America had an interest in some of the guano islands surrounding Samoa. These should be transferred from Great Britain to the United States. The Japanese-occupied islands were of 'great importance' to America because of their strategic situation in relation to Guam and the Philippines. The United States could not claim these islands directly since Japan and Great Britain would have equally rightful claims, so the United States should insist that the islands be returned to Germany. Once they were again in

German possession the United States should ask for them in lieu of German reparations. This....could not 'morally' be done while the [peace] conference was in session, and it would be difficult to explain to the American people why the islands should be returned to Germany; but, on the other hand, the possession of these islands by Great Britain or Japan would be a 'constant menace to the United States and its dominant position in the Pacific'."<sup>70</sup>

The naval members of the American planning Commission, in November 1918, recommended to Admiral William Benson, Chief of Naval Operations, that the Carolines, Marshalls, German New Guinea, and German Samoa be internationalised; Japan being compensated by giving her a free hand in Eastern Siberia:

"from the standpoint of our own interests and future plans, the solution of the Pacific colonies of Germany and the Eastern question would be....The Marshalls, Carolines, German New Guinea and Samoa to be internationalised [and] Japan to be given Eastern Siberia."<sup>71</sup>

Secretary of State Lansing also "wished Japan to expand not eastward but westward, and thought her possession of the Marshall and Gilbert Islands a source of danger".<sup>72</sup> George Blakeslee's solution to the problem accorded more with President Wilson's principles in that he suggested submitting the question to the inhabitants of the former German islands in a plebiscite:

"If the natives of the Marshalls and the Eastern Carolines could determine their destiny they would choose to be under American rule. Their reason for deciding in favour of the United States stems from their belief that 'civilization' had been brought to their islands by the missionaries of the American Board (Protestant) to whom they feel indebted."<sup>73</sup>

However, as George Louis Beer pointed out, from the American point of view the unfortunate factor was that, "The United States has absolutely no legitimate right to these islands and to advance such a claim would not only be considered a gratuitous affront by Japan but would undermine the moral influence of the United States in the settlement of other questions".<sup>74</sup> It was with this consideration in mind that Dr. Stanley Hornbeck, the Inquiry's Far East

specialist, maintained that "the ideal situation would be to place all the German Pacific Islands under American or British control, but in view of the impossibility of this action he advocated putting 'the region at the disposal of the League of Nations; the League to place the islands, either collectively or by groups, under the administration of one or more powers as Mandatories'".<sup>75</sup> Another American senior Far East specialist, E.T. Williams, disagreed with Dr. Hornbeck's recommendations "in so far as they contemplated leaving the government of the islands north of the equator to Japan, either as a mandatory of the proposed League of Nations or otherwise". He observed that "if Great Britain and the United States stood together on the question of the islands, Japan could do nothing, for Germany and Russia could not aid her".<sup>76</sup>

The island of Yap in the Caroline group was important to American communications as it served "as a cable centre to China, the Netherlands East Indies, the Philippines, and Guam".<sup>77</sup> The American cable and communications expert, Walter Rodgers, suggested "that whatever the fate of the island of Yap may be, that under proper guarantees the cable system be turned over to the Netherlands". But, if by any mis-chance the cable should fall into Japanese control, before consent is given, "Japan should be compelled to agree to grant cable landings on Japanese territory". He emphasised that "whatever disposition is made of the German Pacific cable system, whether returned, handed over to some other country, leased or sold, the transaction should carry with it stipulations requiring a waiver of all exclusive rights, full publicity for all its transactions and agreements, prohibition of any preferential treatment as to rates or service, and an agreement to submit to full regulatory control, including fixing of rates by the League of Nations".<sup>78</sup>

The basic security problem confronting the United States was summarised by E. T. Mills; "whether as a

mandatory or as the sovereign power in the islands north of the equator, Japan would be a more serious menace to the Philippines and to Hawaii than Germany ever was in the South Pacific to British possessions for the reason that Germany in the South Pacific was far from her base, while Japan in the islands north of the equator is but a short distance from her home ports".<sup>79</sup> Overall, as Professor <sup>Russell</sup> Fifield points out, "The majority of American specialists, it is clear, were aware of the strategic importance of the Nipponese-occupied islands and were not in favour of outright Japanese acquisition of the area if it could be prevented by some formula".<sup>80</sup> In the United States, however, there was no strong popular demand for American control of the islands:

"Throughout the war sporadic references to the strategic value of the islands could be found in the press. Uneasiness about Japanese expansion into the Pacific never quite disappeared, yet these apprehensions were neither sufficiently strong nor widespread enough to provoke popular demand for American annexation of any islands."<sup>81</sup>

While recognising their strategic value, "President Wilson personally made no effort at the Paris Peace Conference to acquire the Carolines, Marshalls, and Marianas for the United States".<sup>82</sup> Nevertheless, he consistently disputed Japan's treaty rights to the islands. Thus, when informed in December 1918 of the British treaty obligation to support Japanese claims by David Lloyd George and Arthur Balfour, the President "was by no means prepared to accept the Japanese treaty, and was doubtful whether Japan could be admitted there even in the capacity of a mandatory Power. They had not succeeded in moving him from this position."<sup>83</sup> In fact, the President observed to the Council of Four on April 22, 1919, that "as has happened in many, instances, he was the only one present whose judgement was entirely independent. His colleagues were bound by treaties, although perhaps he might be entitled to question whether Great Britain and Japan had been justified in handing round

the islands of the Pacific. This, however, was a private opinion".<sup>84</sup> Unfortunately, however, in the words of Ray Stannard Baker, Woodrow Wilson was confronted by the fact that "Japan had the powerful nine points of actual possession".<sup>85</sup> Moreover, to quote Seth Tillman, she "probably could not have been dislodged by means short of military force".<sup>86</sup>

Indeed, President Wilson's initial opposition to the South African, Australian and New Zealand annexationist ambitions in southern Africa and the Pacific respectively, can be interpreted as a matter of self-interest as well as of principle. If the British Dominions were to annex their conquered spoils of war, then in logic it would be difficult to refute the Japanese claims to the former German islands in the Pacific north of the Equator. Ultimately, Japan received the Carolines, Marianas, and Marshall islands as "C" class mandates, to be "administered under the laws of the mandatory state as integral portions thereof"; Japan secured the substance of her "ambitions in the North Pacific without effort as a by product of the Anglo-American mandates controversy".<sup>87</sup> Although President Wilson disliked the enhanced position of Japan in the northern Pacific, it would have been "utter inconsistency" to attempt "to deny mandates of the third category to Japan in the North Pacific while conceding them to Australia and New Zealand in the South Pacific".<sup>88</sup> In the words of Professor Fifield, the President settled for the best feasible alternative "to the unachievable goal of excluding Japan, a "C" mandate whereby the islands were placed under Japanese administration with certain restrictions, including, of course, a non-fortification clause".<sup>89</sup> Woodrow Wilson believed that American membership of the League, particularly her role on its Council, combined with the qualifying clauses relating to the no fortification rule, would enable the United States to counteract any attempts by Japan to use her mandated islands in any way prejudicial to American security or other

interests. Indeed, at the time his "support of the mandate principle was not entirely accredited to unselfish internationalism". Given the Japanese presence in the islands and the United States' own anti-colonial tradition, "observers noted that, to say the least, the mandatory principle was a smaller evil for America than the possession of the colonies by a foreign power".<sup>90</sup> Unfortunately, the failure of the United States to join the League and withdrawal into isolationism, rendered many of Woodrow Wilson's hopes and calculations largely inoperative.

### 3. American Involvement in the League Mandates System

In March 1920 the Senate of the United States failed to ratify the peace treaty with Germany to which the League Covenant was attached. American non-membership of the League meant that the United States did not have a direct voice in the running of the League mandates system generally and the Permanent Mandates Commission in particular. During the 1920s the various Republican Administrations preferred to have as little as possible to do with the League. There was some change of emphasis under Franklin Roosevelt's Administration during the 1930s, but the United States still remained outside the League; continuing to have no official involvement in the practical working of the system of international accountability which President Wilson had done so much to create. She had disputes with particular mandatories, largely carried on and settled outside the auspices of the League. Before surveying these disputes, however, the American refusal to undertake mandatory responsibilities should be examined.

The United States as a mandatory. Some of President Wilson's advisors favoured the United States undertaking mandatory responsibilities. For example, George Louis Beer believed that the "United States would be the most satisfactory mandatory" for the Cameroons, especially as

this "would be a powerful factor in acquiring adequate protection for native rights".<sup>91</sup> The British government was apparently also keen for the United States to accept mandatory responsibilities. David Lloyd George stated that within the Imperial War Cabinet there "was not only a readiness, but even an eagerness to bring in America and to hand over to her a mandate in respect of some of these German possessions".<sup>92</sup> He "certainly inferred" that the overwhelming majority "would not be averse to handing over the Mandate for East Africa to the United States".<sup>93</sup> The British also favoured the United States becoming the Mandatory for Constantinople and Armenia;<sup>94</sup> and there was some inclination towards an American mandate for Palestine. For example, Lord Robert Cecil suggested to a Cabinet committee in December 1918, that there "are advantages in having the Americans" in Palestine.<sup>95</sup> Arthur Balfour, at the Paris Peace Conference, "warmly advocated" that the Palestine mandate "should be undertaken not by Great Britain, but by the United States".<sup>96</sup> Lord Curzon's comments, however, reveal that that opinion was by no means universal in British ruling circles:

"Remember the Americans have no experience of this sort of work or this kind of people. Their standards of administration, their methods of work, are entirely different from our own. Their method of handling Eastern people would be different from ours, and I suggest that the Americans in Palestine might be a source not of assistance but very much the reverse to ourselves in Egypt."<sup>97</sup>

British policy-makers were also well aware of the American disinclination to accept mandatory responsibilities. For example, Colonel House told Lloyd George that "he was not disposed to regard with favour the idea of an American mandate for any of the former German colonies:

"America could not run colonies. Their experiment with the Philippines had not been a great success. You required a special knack for handling colonies, which did not

interfere with the population, and which allowed them to go their own way."<sup>98</sup>

Lloyd George later recorded, however, that at the Paris Peace Conference, Colonel House stated that while "not in the least anxious to take these mandates", the United States "felt she could not shrink her share of the burden and he thought America would be prepared to take mandates for Armenia and Constantinople".<sup>99</sup> Although endorsing these sentiments, at the Conference President Wilson "refused to consider a suggestion made to him that America should undertake a mandate for any of the African Colonies of the German Empire":

"'the Philippines are still burning our hands'. America was....not prepared to extend the experiment to the government of negro populations in Africa. They had already as many negroes under their flag at home as they could well manage."<sup>100</sup>

American reluctance to meet the costs of protecting dependent peoples was demonstrated by David Hunter Miller's comment on the possible "financial obligations imposed upon a mandatory" under the provisions of President Wilson's first Paris draft Covenant:

"the representative or agent of the mandatory cannot perform his functions without the support of a powerful military force. Will the United States, for example, be expected to maintain in some foreign country an armed force of their own in order to perform their functions as mandatory?....The people of the United States will understand that a great burden is contemplated to be thrust upon them by this plan."<sup>101</sup>

American attitudes were influenced by anti-colonial sentiments and suspicions of the motives of the colonial powers. For example, Robert Lansing's comments on a possible American mandate for Armenia:

"From the beginning to the end of the discussions on mandates and their distribution among the Powers it was repeatedly declared that the United States ought to participate in the general plan... but it was never, to my knowledge, proposed, except by the inhabitants of the region in question, that the United States should accept a mandate for Syria or the Asiatic coast of the Aegean Sea. These regions were rich in natural resources and their economic future under a stable government was bright.

Expenditures on their behalf and the direction of their public affairs would bring ample returns to the mandatory nations. On the other hand, there was a sustained propaganda - for it amounted to that - in favour of the United States assuming mandates over Armenia and the municipal district of Constantinople, both of which... would be a constant financial burden to the Power accepting the mandate, and, in the case of Armenia, would require that Power to furnish a military force estimated at not less than 50,000 men to prevent the aggression of warlike neighbours and to preserve domestic order and peace.

It is not too severe to say of those who engaged in this propaganda that the purpose was to take advantage of the unselfishness of the American people and of the altruism and idealism of President Wilson in order to impose the burdensome mandates on the United States and to divide those which covered desirable territories among the European Powers."<sup>102</sup>

In his comments on President Wilson's second Paris draft Covenant, David Hunter Miller similarly remarked that "doubtless the United States will get such of those [mandates] as Great Britain thinks too difficult for herself, and those will lie in the hands of the United States as a bulwark of the British Empire; such as Armenia".<sup>103</sup> He also noted that American "control of German East Africa" would be "disadvantageous and burdensome. Any one who looks at the statistics and facts of the matter will have to admit this; but there is much clearer proof. Suppose that the British and the League of Nations offered to transfer the territory to us, either in the form of a Mandate or annexation or anything else, it would perhaps be difficult to find any American foolish enough to want his country to take it over."<sup>104</sup>

The "prospect", however, of an American "Mandate for Armenia and Constantinople", in the words of Lloyd George, "appealed to President Wilson's idealism":

"The trust would have been an entirely unselfish one so far as America was concerned. No one could have imputed to her any sordid design to grab territory belonging to other countries merely for her own profits and advantages. It would have been a permanent contribution made by the American people to the cause of humanity and of permanent peace."<sup>105</sup>

The United States was offered these mandates at a meeting of the Council of 4 on May 14, 1919, and President Wilson accepted "on behalf of the United States of America and subject to the consent of the Senate thereof".<sup>106</sup> Unfortunately, as the President intimated to Georges Clemenceau and David Lloyd George, there was no certainty that this "novel idea" would be accepted, especially as "he had no command over the majority in Congress, and that men like Lodge would probably oppose any plan that emanated from him".<sup>107</sup> The Senate debate on the question of the American mandate, aptly demonstrated the influence of the American anti-colonial tradition. For example, Senator Cummins of Iowa argued that for the United States to accept mandate responsibilities would not be in accordance with her constitution.<sup>108</sup> In the wake of the Senate's rejection of the Versailles Peace Treaty to which the League Covenant was attached, President Wilson had to report in November 1920 to the League Council that the United States could not accept the mandate invitation due to Senate opposition.<sup>109</sup> In the end, no mandate was allocated for Armenia. Details of the territories placed under mandate are set out in Appendix 2 of this thesis.<sup>110</sup>

The American failure to become a mandatory had its immediate causes in the intricacies of American domestic politics, the fact that these responsibilities might well prove burdensome, and a disinclination to increase the numbers of her non-white subject peoples. Underlying and intimately related to them, were two of her related ideological heritages; isolationism and anti-colonialism. The strength of isolationist sentiment in the nineteenth and early twentieth centuries militated against the United States entering into firm international commitments and responsibilities, and had made her very reluctant to take part in the First World War itself. With the termination of hostilities, American distrust at involvement in the world outside the Western Hemisphere became predominant again. At

the same time, anti-colonial sentiment reacted against the United States assuming formal responsibility for territories whose ultimate destiny was not envisaged as statehood in the North American Union. Inherited suspicion of British colonial activities further predisposed the United States to be wary of any proposals which appeared to involve her in mandatory and other colonial-type activities. These sentiments were held by a substantial and at times very vocal body of American public opinion.

The Inter-War Years. Following her failure to join the League and refusal of the Armenian mandate, the United States played no formal role in the working of the mandates system. Nevertheless, she emphasised her treaty rights; disputes with her erstwhile wartime Allies being focussed primarily on believed American 'open door' rights. Washington was unwilling to bear the burden of mandatory responsibilities, but insisted on American citizens and corporations sharing in any commercial or other economic benefits accruing from the mandate system. The United States was also anxious to foster the work of those Americans undertaking educational and missionary work in the mandated territories:

"In agreeing to the French and British mandates in Syria and Palestine the United States....gained the right for its nationals by treaty 'to establish and maintain educational, philanthropic and religious institutions in the mandated territory, to receive voluntary applicants and to teach in the English language', subject to the provisions of any local laws 'for the maintenance of public order and public morals'. A similar provision appears in the American treaty with Japan with reference to the North Pacific Islands."<sup>111</sup>

American relations with the European and Dominion mandatory states regarding Germany's former colonies are of relatively minor importance and need only be briefly outlined. Washington succeeded in negotiating treaties with the European mandatory states which secured the United States the same rights as League members in respect of the

'open door' and the receipt of annual reports: agreements were signed with Belgium regarding Ruanda Urundi, France regarding the French Cameroons and French Togoland, and Great Britain regarding the British Cameroons, British Togoland, and Tanganyika. Despite repeated efforts, however, Washington failed to reach agreement with Australia, New Zealand, and South Africa regarding provision for nondiscriminatory treatment and the 'open door' in their respective "C" class mandates. The matter was complicated by the lack of diplomatic representation between them and the United States together with the fact that "C" class mandates could be administered as "integral parts of their territory" without any obligation to maintain the open door. In effect, as there was no 'open door' in their mandates, the Dominions did not discriminate against the United States as League members received the same treatment.<sup>112</sup>

Regarding France's mandate over the former Turkish territories of Syria and the Lebanon, initially Washington was unhappy "at the lack of specific provisions for an open door policy" in the mandate agreements approved by the League Council in July 1922. But the "last American scruples were removed by further French-American exchanges", which resulted in 1924 with a Convention "covering American rights and the open door".<sup>113</sup> The United States was especially concerned that her extra territorial privileges in the Fertile Crescent gained during the era of Turkish rule should continue until she expressly renounced them. American policy apparently rested "on the theory that the capitulations constituted a sort of servitude permanently attached to the territory".<sup>114</sup>

The American interest in the Japanese mandate for the Pacific islands north of the equator was primarily that the islands should not be used for military-purposes; a secondary concern was promoting her 'open door' rights on the same terms as League members. The United States obtained its immediate 'open door' objective of securing

cable rights on the island of Yap in the Caroline group by a treaty signed in February 1922. The security aspect is considered more fully in Chapter 6 when examining the attitudes within Franklin Roosevelt's Administration to establishing the United Nations trusteeship system. For the moment it is sufficient to state that Washington's disputes with Tokyo over the latter's policies in its mandated islands has to be viewed against the general diplomatic background of American-Japanese relations during the interwar years. While never close, relations were acceptable during the 1920s, but deteriorated sharply in the 1930s. There were three key factors: naval rivalry in the Pacific, American apprehension over Japanese ambitions and then aggression in China, and Japanese resentment of American immigration laws discriminating against orientals.

American apprehension over possible Japanese military use of the mandated islands came to the fore in the early 1930s when Japan began an active policy of aggression in China and withdrew from the League of Nations. American disquiet grew when the Japanese placed the mandated islands under military administration in 1935, casting an ever increasing cloak of secrecy over them. Neither the United States nor the European powers, either within or outside the context of the League, were able or willing to do much about believed Japanese violations of its mandate obligations. In effect, Japan was able to ignore with impunity the terms of its mandate agreement, the League Council, and American treaty rights. The Roosevelt Administration's frustration regarding Japanese use of the islands was expressed in the President's message to Congress just after the attack on Pearl Harbour:

"Japan violated the mandate under which she had received the custody of the Caroline, Marshall, and Mariana Islands after the World War by fortifying them and not only closing them to all commerce but her own, but forbidding any foreigner even to visit them."<sup>115</sup>

The commercial aspects and the American inclination to desire influence and privilege without responsibility are aptly illustrated by the United States relations during the interwar years with the British mandates in the Middle East; Iraq (Mesopotamia) and Palestine. The Anglo-American dispute over the 'open door' in Iraq was more protracted than the French-American one regarding the Lebanon and Syria. The disagreement focussed on the desire of North American oil interests to take part in developing Mesopotamia's oil deposits. The disagreement first arose when the State Department endeavoured to support the American oil lobby during the second half of 1919. The lobby was especially vociferous against British regulations which sought to ensure that seeking and operating oil fields in British territory, including the then envisaged mandated Mesopotamia, be confined to British nationals; this was at a time when the North American oil lobby believed that there would be an oil shortage in the United States. Washington maintained that Great Britain and France had come to an agreement over Mesopotamia's oil resources during the San Remo negotiations on a peace treaty with Turkey in April 1920 which ignored American interests. The American ambassador in London delivered an official protest in May 1920:

"He outlined the general principles of equal opportunity of the Open Door policy as especially applicable to areas to be placed under mandate, and pointed out the discriminatory action against American citizens taken by the British authorities in Palestine and Mesopotamia.

The three underlying issues in the dispute between the United States and Britain over the exploitations of oil resources in Mesopotamia were: was the United States as an ally entitled to share with the other allies in the mandated territories since it had not declared war against Turkey? Could United States citizens claim a share in the economic exploitation of the oil resources of the area when a concession had already been granted to the Turkish Petroleum Company? And, finally, was the San Remo agreement discriminatory and in violation of the principles of the Open Door?"<sup>116</sup>

There was an increasingly bitter exchange of notes. On the American part there was particular resentment regarding Lord Curzon's implication in August 1920, that American advocacy of the 'open door' was motivated by the ambitions of North American oil interests rather than disinterested idealism. At a later stage in the negotiations, Lord Curzon stated that he was pleased to agree with the American contention that "the world's oil resources should be thrown open for development without reference to nationality". Unfortunately, "he found American policy in Philippines, Haiti, and Costa Rica out of harmony with this principle".<sup>117</sup>

The dispute was again raised by the Lausanne Conference's consideration of the Mosul problem in July 1923; American oil companies having an interest in the area's oil fields. The various twists in American policy arising from this diplomatic support have been ably summarised by Benjamin Schwadran:

"....in order to achieve the desired end - outside oil resources - the State Department had to find practical solutions to overcome the abstract principles of the Open Door policy. The monopolistic character of the Turkish Petroleum Company was overcome by a scheme of subleasing; the free and equal participation of all American companies and individuals who were willing to venture into the Middle East was overcome by the assertion that no other companies except those in the American group were ready and willing to participate: the objection to the validity of the Turkish Petroleum Company's concession was overcome by the device of making the Iraqi Government grant the T.P.C. a new concession. The State Department completely condoned the self-denial provision of the agreement between the American group and the Turkish Petroleum Company despite the fact that this was a restrictive measure on the members of the Company and a complete repudiation of the basic principles of the Open Door."<sup>118</sup>

It was not until July 1928 that an apparent agreement was reached.<sup>119</sup> Even then, the British Government had little intention of abiding by the undertakings regarding subleasing and eliminating the Turkish Petroleum Company as a bidder at public auctions; the latter provision being

inserted "in the concession simply to meet the stubborn insistence of the State Department".<sup>120</sup> In April 1931, the then American Secretary of State, Henry Stimson, reminded Great Britain that it had been agreed that the Iraqi Government "was not to grant a concession covering any of the oil lands in question without affording Americans, individuals and corporations, an equal opportunity to bid, and that the United States expected the British to intervene with the Iraqi Government to protect their rights".<sup>121</sup> Although the British Government replied that there was no Iraqi obligation "to put every concession up for public tender before granting it", to meet American objections, the Iraqi Government went through the motions of accepting four tenders for the oil concessions concerned. Perhaps not surprisingly, it then announced that the British Oil Development Company's bid was the best and accordingly accepted!<sup>122</sup> Throughout the 1930's, British oil interests further consolidated their control over Iraqi oil; despite occasional protests, the United States was forced to accept the inevitable. The formal ending of the British mandate in 1932 made no difference to the British grip on Iraq's oil resources.<sup>123</sup>

So far as Palestine and Transjordan were concerned, the United States obtained the same rights as those accorded to League members in December 1924. Anglo-American disputes over Palestine arose not from differing interpretations of 'open door' rights, but rather because of British refusal to allow greater Jewish immigration into the mandated territory. American criticism of the British failure to give a more liberal interpretation to the Balfour Declaration of 1917 promising the Jews a "national home" in Palestine, became especially strong in the 1930s with Nazi Germany's persecution of the Jews which eventually culminated in the holocaust; American criticisms deriving their impetus from the strong Zionist lobby in the United States. The desire to further the Zionist cause and

establish a Jewish national home in Palestine led the United States to overlook the fact that the over-whelming majority of Palestine's population were Arabs, implacably opposed to the Zionist cause.

The United States itself in the most immediate practical sense, moreover, did little more than pay lip-service to the Jewish cause. Indeed, M. Hyamson underlines that, with much greater resources at her disposal, she allowed a much smaller percentage of Jews to settle in her domains than Great Britain permitted in Palestine. To a Palestine "population of 752,048 (83,790 Jews) in 1922, 377,966 authorised immigrants (345,338 Jewish) were allowed in the course of the next 23 years"; the figures taking no account of illegal immigration. So far as Jewish immigration to the United States was concerned, from 1925 to 1943 (after that year separate classification of Hebrews was abandoned) "244,246 Jews were allowed to settle in the United States"; the total United States population in August 1945 was "estimated at 139,682,000". Moreover, during the seven years of the Nazi regime up to the outbreak of the Second World War, "when the need of refuge by the European Jews was at its greatest, [only] 92,133 Jews were allowed to settle in the United States, an average of 13,162 per annum".<sup>124</sup>

#### 4. An Overall Survey

Despite the various qualifications contained in the preceeding passages of this chapter, American traditions and historical experience played a very important role in establishing the League mandates system. American anti-colonialism was such that the Wilson Administration was predisposed to oppose either returning their erstwhile dependencies to Germany and Turkey or their annexation by any of the Allied and Associated Powers. This was not true of all Americans, however, as is shown in the case of

Senator Henry Cabot Lodge, President Wilson's main antagonist and the principal architect of the Senate's defeat of the Versailles Treaty. He favoured annexation by the powers in possession and referred to the fact that the United States seemed to have involved itself "already in serious difficulties with the Australians and the Boers of South Africa - populations with which we have always been most friendly and sympathetic".<sup>125</sup> Other Americans believed that adherence to the League Covenant "would compel the United States to assume the burdens of a mandate over any part of Europe, Asia or Africa that was assigned to it". Some senators, in fact, expressed the fear that the League could be used as an engine of repression to bolster British rule in Ireland and India.<sup>126</sup>

It should be underlined again that American traditions did not entail the belief that non-white peoples were automatically equipped for the task of self-government. While there was some support for the Arab's right to national self-determination, her traditions made the United States susceptible to the idea of some form of international administration to solve the problem of the German and Turkish dependencies. A solution based on direct administration or some form of condominium was not favoured because of the belief that previous examples of these types of control had proved unsatisfactory. In truth, the United States was predisposed to favour what became the League mandate system almost by default, there being no other possible solution in keeping with her traditions.

Two important American political considerations are relevant here. The first was President Wilson's belief that future world peace depended on the success of the envisaged League of Nations; the latter's chances of success would be enhanced by "possession of property". He realised very early on that his initial ideas on small states becoming the

mandatories for this property were impractical and would have to be revised. The only chance for the mandate idea to be acceptable to America's wartime allies would be if the states actually in possession of the former German and Turkish dependencies became their mandatories. The second consideration was the importance of the former German Pacific islands to American security. Although especially desirous to keep them out of Japanese hands, the United States was confronted by the fact that Japan had occupied these islands north of the Equator and to remove her might well require the use of force. If all the German colonies were placed under League mandate, however, it was hoped that American membership should ensure that any Japanese mandates would not threaten the security of the United States.

The American contribution to Allied wartime thinking on a future mandates system should not be unduly stressed. The Round Table Group and Anglo-French socialists provided much of the impetus to thought. The principles of "self-determination" and "no-annexation" were not peculiar to the United States, but implicit in the general philosophy of the Allied cause and had been enunciated by Lloyd George before President Wilson elaborated his Fourteen Points. For example, in June 1917, Lloyd George referred to the need to consider "the wishes, desires, and interests" of the inhabitants of the German colonies before determining their future; while three days before the Fourteen Points Speech, he stressed the importance of a territorial settlement based on the consent of the governed even more strongly than did the American President.<sup>127</sup> Jan Smuts, moreover, published The League of Nations, a Practical Suggestion, before President Wilson drafted his first mandates scheme. The Smuts mandate plan, however, was applicable only to the subject peoples of the Habsburg, Russian, and Turkish Empires. While much influenced by this plan, Woodrow Wilson "universalised it", extending the idea further than General Smuts intended:

"the President perceived that the direct annexation of those vast colonial territories in Africa, Asia, and the Pacific, with their millions of population and their great strategic, political, and economic value to be quite as dangerous in practice and as likely to be the cause of future conflict as was the annexation of parts of Turkey, Russia, or Austria."<sup>128</sup>

Most of the practical details of the League mandates system originated in schemes devised by British and Dominion statesmen. If they had been adopted, however, some ideas contained in President Wilson's Paris drafts of the Covenant would have extended the principle of international accountability even further. Indeed, perhaps the most important American contribution to the intellectual genesis of the League of Nations mandates system was Woodrow Wilson's election to the Presidency in 1912. There was considerable rhetoric by the "American political establishment" regarding the "unselfishness of the American people", but little inclination to assume responsibilities which might prove costly or otherwise inconvenient to the United States. President Wilson, however, was willing for the United States to take part in the search for a new world order generally and to assume mandatory responsibilities specifically. His faith in liberal precepts was crucial to the Paris Peace Conference's creation of the mandates system; the United States could have been represented by a much less fervent proponent of her democratic value system. The President's greatness is evinced by his tenacity in the face of the ambitions of the annexationists; the other leading allied statesmen accepted his ideals in principle if not in complete substance or spirit. Japan, however, did not actually annex the German Pacific islands north of the equator. President Wilson spoke in terms of principle; fortunately, moral precept corresponded with the national interests of the United States!

Unfortunately, the United States failed to join the League of Nations and become a member of the League Council and <sup>no Americans served on</sup> the Permanent Mandates Commission. Although examining historical "might-have-beens" is in one sense somewhat pointless, it can be surmised that if the United States had been represented on the two institutions, then both would have been more critical of the administering powers than they usually tended to be. This point, however, should not be overstressed. For example, Australia largely ignored the Permanent Mandates Commission's repeated criticisms of her 'whites only' immigration policy in her mandated territories.<sup>129</sup> In view of the unsatisfactory nature of the United States' own internal race relations, it is unlikely that the Australians would have taken kindly to American preaching on that subject. Similarly, there is little evidence to suggest that an American presence in the League would have made much difference to Japan's administration and general use of her mandated islands. Finally, however, if the United States had joined the League of Nations, the extra experience of the practical difficulties of colonial administration might have modified American anti-colonial sentiment.

## Footnotes

1. For further details of the various mandate ideas circulating during the First World War, see Henry Winkler, The League of Nations Movement in Great Britain, 1914-1919 (New Jersey, 1952), Chapter VIII, "The Idea of Colonial Trusteeship", pp. 199-228.
2. See W.C.A. Ormsby-Gore, "The Mandatory System", in H.W.W. Temperley, A History of the Peace Conference of Paris (London, 1924), Vol. VI, p. 501.
3. Some influential Americans like former President Theodore Roosevelt urged the Allies to divide the spoils and pay no attention to Woodrow Wilson: "Let them [the Allies] impose their common will on the nations responsible for the hideous disaster which has almost wrecked mankind". See Charles Seymour, American Diplomacy during the World War (Baltimore, 1934), p. 371.
4. Woodrow Wilson's reply in 1914 to assertions that the Mexican people were not fitted for self-government. See R.S. Baker and W.E. Dodd (eds.), The Public Papers of Woodrow Wilson: The New Democracy, Vol. 2, (New York, 1925), pp. 119-120.
5. Ibid.
6. For details of the work of the Inquiry, see Lawrence Gelfand The Inquiry: American Preparations for Peace, 1917-1919 (London, 1963).
7. Ibid., p. 227.
8. Ibid., pp. 227-228.
9. Ibid., pp. 22-31.
10. Ibid., pp.182-3.
11. George Louis Beer, African Questions at the Paris Peace Conference (New York, 1923), p. XV.
12. David Hunter Miller, My Diary at the Paris Peace Conference (New York, 1924), Vol. II, pp. 105-6. David Hunter Miller was a member of the Inquiry and legal adviser to the American delegation at the Paris Peace Conference. He worked very closely with President Wilson in the formulation of the latter's three Paris drafts of the Covenant.

13. Ray Stannard Baker, Woodrow Wilson and World Settlement, Vol. I (New York, 1922), p. 79. He also maintained that their various secret wartime treaties were not divulged to the United States. Ibid., pp. 79-88. There is considerable evidence, however, to suggest that the United States was aware of them. For a precise discussion of this point, see Seth Tillman, Anglo-American Relations at the Paris Peace Conference of 1919 (New Jersey), pp. 9-11.
14. Robert Lansing, War Memoirs (London, 1935), p. 275.
15. For the full text of President Wilson's "Fourteen Points" speech of January 8, 1918, see Congressional Record, Vol. 56, Pt. I, 65 Congress, 2 session, p. 680. See also Charles Seymour (ed.), The Intimate Papers of Colonel House (London, 1926), Vol. 4, p. 194.
16. Ibid.
17. Ibid.
18. See David Hunter Miller, "The Origin of the Mandate System", Foreign Affairs, January 1928, Vol. VI, No. 2., pp. 277-289. See also his Drafting of the Covenant (New York, 1928), Vol. I, Chapter 9.
19. African Questions at the Paris Peace Conference, op. cit., p. 58.
20. Ibid, p. 457.
21. Ibid, pp. 60-61. See also H.E. Egerton, "The Dominions at the Peace Settlement", United Empire Magazine, June 1915, p. 428.
22. Anglo-American Relations at the Paris Peace Conference of 1919, op. cit., p. 87. George Louis Beer and Colonel House, however, favoured incorporating South West Africa and New Guinea into the domains of neighbouring Allied states. See African Questions at the Paris Peace Conference, op. cit., p. 424, and The Intimate Papers of Colonel House, Vol. 4, op. cit., p. 299.
23. See Isaiah Bowman's memorandum of President Wilson's observations aboard the "George Washington" on December 10, 1918. The memorandum has been reproduced in various sources, including The Drafting of the Covenant, Vol. 1, pp. 41-44; and James T. Shotwell, At the Paris Peace Conference (New York, 1937), pp. 73-78.

24. See Congressional Record, Vol. 56, Pt. I, 65 Congress, 2nd session, op. cit.
25. My Diary at the Conference of Paris, Vol. II., Document 88, pp. 430.
26. The Intimate Papers of Colonel House, Vol. 4, op. cit., p. 200.
27. Ibid., p. 283. See also African Questions at the Paris Peace Conference, op. cit., pp. 424-25, and p. 67. The mandate principle was only dealt with tentatively, however, and so far as the report on African was concerned mentioned only in the final paragraph. Ibid. In none of George Louis Beer's other major reports, however, is the mandate idea mentioned by direct reference. Lawrence Gelfand points out that "all of the references to the mandate system in Beer's Inquiry reports are of the most casual nature". He suggests that "Beer's reluctance to deal explicitly with the mandate system in his preliminary reports for the Inquiry stemmed not from humility but from uncertainty as to the practicality of the idea". See The Inquiry, op. cit., p. 233 and p. 236.
28. Woodrow Wilson and World Settlement, op. cit., p. 224-5.
29. Jan Smuts, The League of Nations: A Practical Suggestion, published December 16, 1918. Reproduced as Document 5, in The Drafting of the Covenant, Vol. II, pp. 23-60.
30. Ibid., Vol. I., pp. 101-17. Professor Gelfand suggests that George Louis Beer's basic mandates idea, expressed as early as December 1917, "was taken up by Smuts a year later, promoted, discussed, and modified. In a real sense, Smuts complemented Beer's work in the presentation of the idea to the peace conference". See The Inquiry, op. cit., p. 233. Professor Gelfand's suggestion is given added credibility by the fact that both Beer and Smuts were associates of the Round Table Group who devoted much thought to the postwar colonial settlement during the First World War.
31. Professor Tillman points out, "President Wilson was preoccupied in the autumn of 1918 with the immediate problems of ending the war and the negotiations of the Armistice. He formulated no further specific League proposals before going to Paris. In the British Empire, however, significant ideas and proposals were formulated during this period, the most important being

the "Practical Suggestion" of General Smuts in December 1918!" See Anglo-American Relations at the Paris Peace Conference, op. cit., p. 113.

32. George Louis Beer's Diary notes on President Wilson's comments are especially interesting; "Common property will hold League together; eg. German colonies. Evidently no idea of returning them. Their administration under mandate of League should be entrusted to some small state or several, eg., Scandinavian, not to a large one for fear that in latter event mandatory may develop into owner". See At the Paris Peace Conference, op. cit., p. 74. James Shotwell records that Dr. Beer was much disturbed at President Wilson's vagueness regarding the question of mandates, the President's conversation aboard the George Washington demonstrated that he had not gone into details, only general principles. In particular, "The idea had been thrown out that mandatory states should be chosen from among those which had had no previous interest in the colony assigned. Beer regarded this as a very dangerous and academic type of thinking, for he said that the President in his anxiety to secure an unbiased and unselfish attitude on the part of the mandatory had overlooked the point, which in Beer's mind was fundamental, that colonial government requires experience both in the governing state and in the colony on the part of its administrators." Ibid., p. 75. See also Isaiah Bowman's notes of Woodrow Wilson's comments; The Intimate Papers of Colonel House, Vol. 4., op. cit., p. 284-5.
33. See Sir William Wiseman, 'Notes on an Interview with the President at the White House', October 16, 1918, Wiseman Papers. Quoted in Anglo-American Relations at the Paris Peace Conference of 1919, op. cit. p. 87.
34. The Drafting of the Covenant, Vol. II, op. cit., p. 29.
35. Robert Lansing, The Peace Negotiations (London, 1921), p. 139. He believed that the mandate idea, "was a subterfuge which deceived no one". Ibid.
36. Ibid., p. 73.
37. African Questions at the Paris Peace Conference, op. cit., p. 425.

38. Ibid., p. 431-2.
39. The Intimate Papers of Colonel House, Vol. 4, op. cit., p. 194 and p. 260.
40. Ibid., p. 282.
41. Ibid., p. 194.
42. Ibid.
43. My Italics. Cited in The Inquiry, op. cit., p. 232.
44. For a detailed examination of the Entente Powers' wartime secret treaties, see W.W. Gottlieb, Studies in Secret Diplomacy during the First World War (London, 1957).
45. See The Drafting of the Covenant, Vol. II, op. cit., p. 28.
46. This document is reproduced as Document 7 in The Drafting of the Covenant, Vol. II, pp. 65-93. President Wilson's second and third Paris draft Covenants are also included as Documents 9 (pp.98-105) and 14 (pp. 145-154).
47. H.C. Allen, Great Britain and the United States (London, 1954), p. 709.
48. The dispute was particularly heated between President Wilson and the Australian Prime Minister, William Hughes. Their acrimonious debate is summarised by Paul Birdsall, Versailles Twenty Years After (London, 1941), pp. 69-77.
49. Drafting of the Covenant, Vol. I, op. cit., p. 106.
50. Ibid., pp. 216-220.
51. Ibid., p. 110.
52. Woodrow Wilson and World Settlement, Vol. I, op. cit., pp. 261-262.
53. The Drafting of the Covenant, Vol. I, op. cit., p. 107.
54. Ernst Haas, "The Reconciliation of Conflicting Colonial Policy Aims: Acceptance of the League of Nations Mandate System", International Organization, Vol. 6., 1952, p. 543.

55. The Drafting of the Covenant, Vol. II, op. cit., pp. 88-89, 104, and 152.
56. Woodrow Wilson and World Settlement Vol. II, op. cit., p. 206.
57. Ibid., pp. 208-218. The report of the King-Crane Commission was eventually published in The Editor and Publisher, Vol. LV, December 2, 1922, pp. 4-26.
58. The Drafting of the Covenant, Vol. II., op. cit., pp. 104 and 153.
59. Ibid., pp. 104 and 153.
60. Quoted in George Kirk, A short History of the Middle East (London, 6th ed., 1961), p. 130.
61. The Drafting of the Covenant, Vol. II, op. cit., pp. 104 and 153.
62. League of Nations, Official Journal, Vol. 4 (January-June 1923), pp. 200-1, 211, and 298-300.
63. Woodrow Wilson and World Settlement, op. cit., Vol. I, p. 423.
64. The Drafting of the Covenant, Vol. II, op. cit., p. 33.
65. Ibid., p. 89.
66. Woodrow Wilson and World Settlement, Vol. I, op. cit., p. 432.
67. My Diary at the Conference of Paris, Vol. I, op. cit., p. 100.
68. Russell Fifield, Woodrow Wilson and the Far East (New York, 1951), pp. 135-6.
69. The Inquiry, op. cit., p. 270.
70. As summarised by Werner Levi, in American-Australian Relations (University of Minnesota Press, 1947), p. 102. The original document is reproduced in Foreign Relations of the United States: Paris Peace Conference, Vol. II., op. cit., pp. 511-515.
71. My Diary at the Conference of Paris, Vol. II, op. cit., (Washington, 1928), pp. 106-7.

72. The Inquiry, op. cit., pp. 269-270, note 60.
73. Ibid., p. 271.
74. African Questions at the Paris Peace Conference, op. cit., p. 455.
75. Woodrow Wilson and the Far East, op. cit., p. 137.
76. Ibid., pp. 137-138.
77. Ibid., p. 157, note 134.
78. Memorandum to President Wilson dated February 12, 1918. See Woodrow Wilson and World Settlement, Vol. III, op. cit., pp. 437-8.
79. Woodrow Wilson and the Far East, op. cit., pp. 138-9, note 99.
80. Ibid., p. 138.
81. Foreign Relations of the United States, 1919: Paris Peace Conference Vol. II., p. 514.
82. Woodrow Wilson and the Far East, op. cit., p. 139.
83. David Lloyd George, The Truth About the Peace Treaties (London, 1938), Vol. I., p. 191.
84. Foreign Relations of the United States, 1919: Paris Peace Conference, Vol. V., p. 129.
85. Woodrow Wilson and World Settlement, op. cit., Vol. II p. 228.
86. Anglo-American Relations at the Paris Peace Conference, op. cit., p. 100.
87. Ibid., pp. 99-100.
88. Ibid., p. 100.
89. Woodrow Wilson and the Far East, op. cit., p. 139.
90. American-Australian Relations, op. cit., p. 103.
91. African Questions at the Paris Peace Conference, op. cit., p. 436.

92. The Truth About the Peace Treaties, Vol. I, op. cit., p. 115.
93. Ibid, p. 122.
94. Ibid., p. 288-9.
95. Ibid., Vol. II., p. 1149.
96. See Leonard Stein, The Balfour Declaration (London, 1961), p. 619.
97. The Truth About the Peace Treaties Vol. II., op. cit., p. 1147.
98. Ibid., Vol. I., p. 115.
99. Ibid., p. 288.
100. Ibid., Vol. II., pp. 1255.
101. The Drafting of the Covenant, Vol. II., op. cit., p. 96.
102. The Peace Negotiations, op. cit., p. 141-2.
103. The Drafting of the Covenant, Vol. I., op. cit., p. 47.
104. Ibid., p. 103-4.
105. The Truth About the Peace Treaties, Vol. II., op. cit., p. 1262.
106. Ibid., p. 1263.
107. Ibid.
108. D.F. Fleming, The United States and the League of Nations, 1918-1920 (New York, 1932), p. 131.
109. On June 1, 1920, by 52 to 25 votes.
110. For an excellent summary of the allocation of mandates and establishment of the League mandate system, see H. Duncan Hall, Mandates, Dependencies and Trusteeship (London, 1948), pp. 136-143.
111. Quincy Wright, Mandates Under the League of Nations (Chicago, 1930), pp. 470-71.

112. Ibid., pp. 55-6, for a further discussion of this point.
113. S. H. Longrigg, Syria and Lebanon Under French Mandate (London, 1958), p. 109.
114. Mandates Under the League of Nations, op. cit., p. 483.
115. Message delivered on December 15, 1941. See Department of State Bulletin, Vol. V, no. 130, December 20, 1941. Paul Haigwood, among others, has shown that Japan probably did not fortify her mandated islands prior to the Second World War. Nevertheless, Japanese secrecy and the myth that they had done so were important factors in determining American attitudes to these islands during the Second World War. See Paul Haigwood, "Japan and the Mandates", pp. 97-109, in William Roger Louis (ed.), National Security and International Trusteeship in the Pacific (Annapolis, 1972). This point is examined in Chapter 6.
116. Benjamin Shwadran, The Middle East, Oil and the Great Powers (New York, 2nd ed, 1959), p. 206.
117. Mandates Under the League of Nations, op. cit., pp. 51-52.
118. The Middle East, Oil and the Great Powers, op. cit., pp. 242-3.
119. For details, see Ibid., p. 246-7.
120. Benjamin Shwadran's comment. Ibid., p. 248.
121. Ibid.
122. Ibid., p. 249.
123. Ibid., pp. 249-253.
124. M. Hyamson, Palestine Under the Mandate, 1920-1948 (London, 1950), p. 67.
125. The United States and the League of Nations, op. cit., p. 115-6.
126. Ibid., p. 121-5.
127. For an examination of Lloyd George's speech and a comparison with President Wilson's Fourteen Points one, see Anglo-American Relations at the Paris Peace Conference, op. cit., pp. 24-32. See also Lawrence

Martin, Peace Without Victory: Woodrow Wilson and the British Liberals (New Haven, 1958), Chapter 5; Lloyd George, War Memoirs, Vol. V (London, 1936), pp. 63-73; and J.B. Scott (ed.), Official Statements of War Aims and Peace Proposals, December 1916 to November 1918 (Washington, D.C., 1921), pp. 225-233.

128. Woodrow Wilson and World Settlement, Vol. I, op. cit., p. 266.

129. For an account of Australia's refusal to heed the Permanent Mandates Commission's criticisms of the extension of her "white only" immigration policy to her Pacific mandates, see W.J. Hudson, "Australia's Experience as a Mandatory Power", Australian Outlook, April 1965, pp. 35-46.

## Chapter 5: Franklin Roosevelt's Administration and the Trusteeship Principle

During the First World War, British liberal <sup>and socialist</sup> opinion had taken the lead in pressing for some form of postwar international accountability for the administration of dependent peoples, but during the Second World War, the impetus primarily came from American sources. The earlier roles of the Round Table Group and British socialist thinkers and organisations was assumed by American labour unions, professional associations and church groups. Even prior to American entry into the war, the Round Table's Second World War American counterpart, the Commission to study the Organisation of Peace, argued that "the whole of Africa (apart from....South Africa) and the whole of the Polynesian Island Group now under colonial administration, should cease to be regarded as projections of Western power interests and be placed under varying forms of international administration and supervision".<sup>1</sup> Official American policy and determination played the leading role in the actual formation of the United Nations trusteeship system. Such men as President Franklin Roosevelt, Secretary of State Cordell Hull, the Under Secretary of State Sumner Welles, differed over details and the best path to choose, but were even more determined than had been President Woodrow Wilson two decades or so before to introduce some form of international colonial new deal. The Roosevelt Administration at a much earlier stage and in a much more systematic manner than the Wilson Administration, formulated plans for postwar machinery for international accountability.

The plans were also given higher priority than had been the case during the First World War. They were modified frequently, however, due to American national interests and those of her allies, particularly Great Britain. This is not to infer that the United States sympathised with or supported

Great Britain and the other colonial metropolises, rather the reverse. But she had to work with them both in waging the conflict against the Axis and in the future settlement of the postwar world of which the colonial domain was only a part; albeit an important part in the eyes of many members of the Roosevelt Administration, including the President himself. While Washington could bargain and cajole, and perhaps even occasionally force her European allies to take actions they believed ran counter to their best interests and those of their dependent peoples, those interests could not be ignored (especially British ones) when rhetoric and sentiment were translated into concrete proposals for action.

In fact, throughout the war, American official attitudes to what eventually became the United Nations trusteeship system reflected the tensions and ambivalences within the American anti-colonial tradition; particularly the dichotomy between what was desired and what was feasible. The majority view within the Roosevelt Administration was that dependent peoples had a right to eventual freedom from their colonial masters which could probably best be achieved by international cooperation rather than individual actions by the colonial metropolises. This 'idealism', however, was such that the United States' own colonial-type interests were somehow regarded as being intrinsically different to those of the European colonial powers. Idealism, moreover, was often ignored when conflicting with the national interests of both the United States and her wartime allies; the latter having views on the future of dependent peoples frequently very different to American ones. Indeed, the Roosevelt Administration found that declarations "of a general nature as to the future of dependent peoples could not be entirely fulfilled when it came to transforming expressions of general aims into an actual international system. This is not to be cynical about declarations of ideals made by allies while fighting a war; the point is rather that such declarations

must be taken as goals to be strived for and not pledges of specific action."<sup>2</sup>

The Roosevelt Administration's various proposals on international accountability for dependent peoples are investigated in this chapter and the two following ones. The evolution is traced until they become part of Chapters XI, XII, and XIII of the United Nations Charter on Non-Self-Governing Territories and Trusteeship as formulated by the San Francisco Conference in 1945. This chapter considers the Roosevelt's Administration attitude to trusteeship from prior to American entry into the Second World War up to the American military's declared desire in 1944 to annex the Japanese Pacific islands mandate. It is divided into four sections: trusteeship in the Americas prior to the attack on Pearl Harbour; the plans formulated from roughly that attack until the American military's intervention into the policy-making process; President Roosevelt's trusteeship conceptions; and early British wartime views on trusteeship. The chapter is primarily concerned with the specific blueprints of the State Department and the ideas of Franklin Roosevelt. British attitudes are reviewed only in so far as they demonstrate differences of attitude and interest which eventually underlay modifications in American plans.

#### 1. Trusteeship in the Americas

The first of the Roosevelt Administration's proposals for international trusteeship arose primarily as a by-product of its desire to protect American interests in the Western Hemisphere. The proposal envisaged collective trusteeship by the American states for European colonies in the New World threatened by a change of sovereignty to another European power due to the Second World War: the proposal being given explicit expression by the Act of Habana of July 1940.

The idea was not new and reflected President Roosevelt's desire to protect American interests without territorial expansion or antagonising the Latin American Republics. In

August 1936, for example, the President rejected the possibility of the United States purchasing the Galapagos Islands from Ecuador, and instead suggested "that because of the extra-ordinary natural history value of the islands ... it might be possible to set them aside as a Pan American National Park - the cost of conservation being assumed by many American Republics".<sup>3</sup> By 1939 the President envisaged joint inter-American trusteeship whereby the Galapagos Islands would be administered as an international wild life reserve by a Board of the Pan American Union. Although remaining "nominally" under Ecuadoran sovereignty, the latter would be limited and the Islands "kept under constant vigilance by an international joint patrol representing the American republics".<sup>4</sup> President Roosevelt's purpose was to further his 'Good Neighbour' policy in the Western Hemisphere through inter-American cooperation. He stressed the Galapagos Islands' value to natural science rather than potential value as strategic bases to control the western entrance to the Panama Canal.

By March 1938, however, President Roosevelt had begun to place more emphasis on the strategic value of Latin American-owned islands on the west coast of South America. In a memorandum to Sumner Welles he stated that "under no circumstances" should Easter Island be transferred to "any non-American nation" as it was "a definite possibility as a stopping place for trans-South Pacific planes, commercial or military". A combination of reluctance to seek direct territorial expansion in the Americas, the detrimental effects which acquiring Easter Island might have on relations with her Western Hemisphere neighbours, and the improbability of "getting any large appropriation through Congress", caused him to "doubt the political wisdom of its purchase by the United States".<sup>5</sup> Instead he suggested placing Easter Island along with the Galapagos Islands under Pan-American trusteeship:

"Would it be possible to tie up Easter Island and the Galapagos in a Pan-American trusteeship; the islands to be preserved for all time against colonization and for natural science? Ecuador and Chile....would be paid for the

Islands over a period of years, the sovereignty to rest in the trustees; the trustees to protect them and prevent their use for military purposes."<sup>6</sup>

Similarly, in August 1939, German and Japanese interest in the Antarctic, led the President to suggest "a new form of sovereignty":

"....a claim to sovereignty of the whole sector lying south of the Americas on behalf of, and in trust for, the American Republics as a whole. Under this the United States, being the only Republic which has taken the initiative in exploring and possibly settling the area, would act not only on behalf of its own exclusive sovereignty but would include all the other Republics - and if in the future - the American sector proved valuable in any shape, manner or form, its sovereignty could be managed by an inter-American Republic governing body."<sup>7</sup>

By the late spring of 1939, however, an important faction within the Roosevelt Administration desired actual American control of the Galapagos and other islands. The islands' potential strategic value for controlling the western entrance to the Panama Canal, led the War Department to favour a pending Congressional resolution authorising negotiations to acquire the Galapagos Islands and Cocos Island. Sumner Welles pointed out that this was an advance upon the Department's previous belief that they were of little "strategic value" to the United States, but "might be useful to a non-American power".<sup>8</sup> He obtained President Roosevelt's authorization to inform both the Secretaries of War and the Navy that "you do not desire these two Departments at this time to recommend the approval of resolutions pending in the Congress for the acquisition by the United States of territory belonging to the other American republics". The question of purchasing Latin American owned islands was then put aside apart from periodic requests by the War and Navy Departments for the use of 'limited' base facilities.<sup>9</sup>

The Habana Formula. The notion of inter-American trusteeship was revived in 1940 to solve the problem of European colonies in the New World threatened by a change of ownership from one

European power to another. The problem became of immediate importance in May 1940 when British and French troops respectively occupied the Dutch islands of Aruba and Curacao to protect their vital oil refineries without prior notice to the United States. The latter believed that this action might set precedents for Japan to land troops in the Netherlands East Indies<sup>10</sup> and similar actions in the Western Hemisphere by either the European colonial powers or Nazi Germany. Another consideration emanating from traditional American suspicions of Great Britain, was that once she occupied a territory, her stay might prove to be a long one and removal excessively difficult. By May/June 1940, the war in western Europe was going very badly for those European colonial powers involved in it. Washington was confronted with the ever-growing likelihood of French capitulation, possible German demands for the secession or occupation of French and Dutch Caribbean territories, and more British unilateral action regarding other European dependencies in the Americas.<sup>11</sup> In June, at the time of the Dunkirk evacuation, Congress passed a State Department sponsored resolution declaring that "the United States would neither recognise nor acquiesce in any transfer of sovereignty over American territory from one non-American power to another".<sup>12</sup>

At the same time, Cordell Hull instructed Frances Biddle, the American Ambassador to France, to remind the new French Government under Marshal Petain of the "traditional policy of the United States with regard to the Western Hemisphere which would make it impossible for the United States to recognise any transfer or to acquiesce in any attempt to transfer any geographic region of the Western Hemisphere from one non-American Power to another non-American Power". If it became necessary, "the United States would be prepared in conjunction with the other American Republics to undertake to institute an 'an inter-American trusteeship' for the French possessions in the Western Hemisphere".<sup>13</sup> A few weeks before, in reply to a query from Mrs Roosevelt about the availability of the

British, French and Dutch Guianas for refugee settlement, the President had stated that he was "considering the broad thought of creating a form of Pan American trusteeship.... It is a new idea in international or Pan American relationships, but it is worth studying - especially if there is a remote possibility that the American Republics may be forced to do something about European possessions in this Hemisphere."<sup>14</sup>

In July 1940, the United States convened at Habana a consultative meeting of the American Republics to consider the question of European colonies in the Western Hemisphere. The meeting endorsed United States' proposals for emergency action by the American Republics regarding European colonies in the Western Hemisphere, permanent inter-American opposition to transferring sovereignty over the American possessions of one non-American state to another one, and inter-American trusteeship:

"should the American republics find it necessary in order to prevent occurrences in contravention of the principles of policy herein set forth to assume measures of control over the geographic region in question, there shall be established a collective trusteeship participated in by all of the American republics which ratify this convention."<sup>15</sup>

The American position was essentially cautious and even envisaged returning the European colonies to their metropolises once the threat of Axis possession ended. For instance, France was privately informed that in the event of the possible transfer of her colonies to another non-American power, "the United States would be prepared in conjunction with other American Republics to undertake to institute an inter-American trusteeship", but "of a temporary character and to continue only until such times as the complete autonomy and independence of France were fully restored".<sup>16</sup> In his public opening address to the Habana meeting, however, Cordell Hull left open whether restoration or independence would be the eventual destiny of European colonies coming under inter-American trusteeships:

"The purpose of a collective trusteeship must be to further the interests and security of all the American nations....as soon as conditions permit, the region should be restored to its original sovereign or be declared independent when able to establish and maintain stable self-government."<sup>17</sup>

Ruth Russell and Jeannette Muther have summarised the inter-American trusteeship scheme adopted by the Habana meeting:

"an emergency committee, including a representative from each republic, to administer any colony in the hemisphere threatened or attacked; ....a change in sovereignty or control of any colonies in the New World would automatically bring its provisions into effect. These would place the colonies in question under the temporary government of an Inter-American Commission for Territorial Administration until they could either govern themselves or be restored to their former possessors."<sup>18</sup>

While never put into operation, these arrangements illustrate the Roosevelt Administration's early ideas on trusteeship and shed light upon the nature of American anti-colonialism. President Roosevelt and the State Department did not advocate automatic independence for colonial peoples in the Americas. Moreover, although wishing to protect American national interests, they preferred to do so by at least adopting the guise of collective action and stopping short of outright annexation of territories of strategic importance to the United States.

## 2. The United States Original Plans for United Nation Trusteeship

Throughout the Second World War, the State Department played the leading role in formulating policies and pronouncements of possible application to colonial peoples such as the Atlantic Charter Declaration of 1941. Tentative proposals for postwar international trusteeship were made within twelve months of the Japanese attack on Pearl Harbour. Within the State Department and the various official groups considering colonial problems, there was a marked divergence between the cautious limited approach of Cordell Hull and the more radical position of Sumner Welles. Their differences

were only settled with Sumner Welles's resignation in September 1943. The differences were aggravated by uncertainty as to President Roosevelt's own views and the fact that Sumner Welles probably had closer working relations with him than did Cordell Hull.

Official American consideration of a future international trusteeship system commenced in August 1942, with the investigations of a Special Subcommittee on International Organisation under the chairmanship of Sumner Welles.<sup>19</sup> The Special Subcommittee's proceedings assumed an eventual international organisation of the League of Nations type, an assumption not then shared by President Roosevelt himself. It was also influenced by Sumner Welles' preference for a regional approach as opposed to Cordell Hull's inclinations towards a universal one. The League mandates system influenced the Subcommittee's work, especially through the activities of Benjamin Gerig, a former League official and an authority on that system.<sup>20</sup>

The Draft Protocol on Trusteeship devised by the Special Subcommittee was completed by October 1942 and intended to apply to all non-self-governing territories except for those in the Western Hemisphere.<sup>21</sup> It would have to be voluntarily accepted by the Allied colonial powers, although Japan would lose her mandate and, along with Italy, possibly other territories. <sup>as well</sup> The system's goal would be independence for all non-self-governing peoples except those who chose full self-government in association with their colonial metropole. A new general international organisation, composed of regional representatives from colonial metropolises, would decide whether dependent peoples were ready for independence or self-government. Direct administration by this body would normally be avoided.<sup>22</sup> A series of regional councils would be created under its auspices through which the colonial metropolises would be held accountable for exercising their trusteeship. The administering authorities would be responsible for ensuring

economic, social and political progress by their dependent peoples and safeguarding the economic and security interests of the international community as a whole. They would submit reports on their trusteeship, while the new international body would possess the right to carry out inspections of colonies and dependent peoples be able to petition it directly. American concern with security questions, especially the strategic value of island bases, was reflected in a provision for fortifying trust territories if the international executive believed that this would contribute to world security.<sup>23</sup> The overall ethos was of a more radical, but regionally based, reformed League mandates system.

Cordell Hull disapproved of the Protocol's failure to distinguish between colonies in general and "dependent territories under mandate or to be detached from enemy states after the war". He modified the plan submitted to the President in November 1942, such that the proposed new trusteeship system would "include only the Axis dependencies and the territories mandated by the League of Nations". His modifications were undertaken "for obvious reasons of political feasibility" which at least made possible some sort of eventual dialogue with the British on international trusteeship.<sup>24</sup>

The Atlantic Charter and National Independence. The wartime roots of Chapter XI on Non-Self-Governing Territories of the United Nations Charter are to be found in the draft declaration entitled "The Atlantic Charter and National Independence" which Cordell Hull also submitted to President Roosevelt in November 1942. It grew out of the American belief that the Atlantic Charter's principles were universally applicable; an interpretation with which the British Government did not agree. Winston Churchill's address to the House of Commons of 9 September, 1941, maintained that Article 3 of the Atlantic Charter on "the right of all peoples to

choose the form of government under which they will live", applied only to those "now under Nazi yoke":

"So it is quite a separate problem from the progressive evolution of self-governing institutions in the regions and peoples which owe allegiance to the British crown."<sup>25</sup>

To Winston Churchill, the British Empire's future was of no concern to the Americans; a viewpoint which they could not accept. For example, Cordell Hull had India in mind in his radio address of July 23, 1942;

"We have always believed - and we believe today - that all peoples without distinction of race, colour, or religion, who are prepared and willing to accept the responsibilities of liberty, are entitled to its enjoyment....It has been our purpose in the past - and will remain our purpose in the future - to use the full measure of our influence to support attainment of freedom by all peoples who, by their acts, show themselves worthy of it and ready for it."<sup>26</sup>

Cordell Hull maintained, however, "that at no time did we press Britain, France, or the Netherlands for an immediate grant of self-government to their colonies.- Our thought was that it would come after an adequate period of years, short or long depending on the state of development of respective colonial peoples, during which these would be trained to govern themselves".<sup>27</sup> He did not agree with those "vociferous" Americans like "Vice President Wallace who argued for an immediate grant of independence" and "disregarded the magnitude of the problem":

"When a certain Texan argued with me along the lines of separating all colonies from their mother countries and particularly urged that Britain should return Hong Kong to China. I retorted that Hong Kong had been British longer than Texas had belonged to the United States and I did not think anyone would welcome a move to turn Texas back to Mexico."<sup>28</sup>

Cordell Hull was fully aware of the limitations on the pressure which the United States could exert on the European colonial powers regarding "eventual independence":

"We had frequent conversations with these parent countries, but we could not press them too far with regard to the South West Pacific in view of the fact that we were seeking the closest possible cooperation with them in Europe. We could

not alienate them in the Orient and expect to work with them in Europe."<sup>29</sup>

His remarks refer specifically to the South West Pacific, but are also apposite to American influence vis-a-vis European colonial domains in other parts of the world. It is against such limiting factors that the American draft declaration on "The Atlantic Charter and National Independence" has to be assessed. It was "to apply to all dependent peoples":

"the proposed declaration made it incumbent on governments controlling dependent peoples to help them qualify for the responsibilities of independence. At the same time the colonial peoples would be obligated to equip themselves politically, socially, and economically for the independence they aspired to. It declared the Atlantic Charter applicable to all peoples, of whatever degree or condition of dependence or freedom and emphasised the special responsibility of the United Nations, as trustee or fiduciary, to ward peoples released from political ties with other nations by either world war but still unprepared for full independence. Finally, the signatory governments would commit themselves to observe the policies, obligations, and methods set forth in the declaration in dealing with their respective colonies."<sup>30</sup>

#### Declaration by the United Nations on National Independence.

President Roosevelt approved the proposals and a State Department group drafted a "Declaration by the United Nations on National Independence"; submitted to the President in March 1943. It was designed as a basis for discussions with the wartime allies and maintained that states responsible for dependent peoples had a "duty" to "cooperate fully" with them "towards their becoming qualified for independent national status". A colonial metropole had five basic duties:

- a. To give its colonial peoples protection, encouragement, moral support and material aid and to make continuous efforts toward their political, economic, social, and educational advancement;
- b. To make available to qualified persons among the colonial peoples to the fullest possible extent positions in the various branches of the local governmental organization;
- c. To grant progressively to the colonial peoples such measure of self-government as they are capable of

maintaining in the light of the various stages of their development toward independence;

d. To fix, at the earliest practicable moments, dates upon which the colonial peoples shall be accorded the status of full independence within a system of general security; and

e. To pursue policies under which the natural resources of colonial territories shall be developed, organized and marketed in the interest of the peoples concerned and of the world as a whole."<sup>31</sup>

The dependent peoples themselves should "create, conduct and maintain.... efficient structures of stable self-government based on sound principles of social and political morality". Helping defeat the Axis would demonstrate their capacity for "freedom". To assist colonial peoples achieve independence, the states interested in particular areas should collaborate and consult among themselves within the framework of regional commissions. The "colonial peoples concerned" should "have appropriate opportunity to participate and to have or to achieve representation" in the commissions. The United Nations would assume a special responsibility for League mandates and other colonial territories detached from Axis control. This should be done via an International Trusteeship Administration composed of United Nations representatives and other states cooperating in "applying the provisions of the Atlantic Charter". This Trusteeship Administration would "operate through regional councils", themselves also composed of states with major interests in the respective regions. They should be "so designed as to give the peoples of the territories held in trust in its region full opportunity to be associated with its work".<sup>32</sup> The powers and relationship between the "regional commissions" and the "regional councils" was left unclear in the proposed declaration. Although all colonies would come under the auspices of the regional commissions, there would be actual international supervision only for former mandates and enemy territories.

Trusteeship and the Draft Constitution on International Organisation. The next American blueprint for a postwar international trusteeship system came from the Special Subcommittee on International Organisation working under Sumner Welles. The Subcommittee in its Draft Constitution on International Organisation of July 1943, based its proposals on the October 1942 Draft Protocol on Trusteeship. All colonies were to be placed under trusteeship and there would be three levels of supervision: the states or groups of states entrusted with the day-to-day administration; Regional Councils of states interested in the region concerned; and the Council of the International Organisation. The latter's decisions on trusteeship and most other matters would be by two-thirds majorities and the concurring votes of its four permanent members (China, Great Britain, the United States and the USSR). The League mandate system's "no fortification" rule was abandoned, there were provisions for the "open door" in all the territories under trusteeship, and the latter's inhabitants would be prepared for self-government. Unlike the League mandates system where no such rights existed, moreover, both "the Council of the International Organisation and the Regional Supervisory Councils [would] have the right of inspection" in trust territories. Another improvement on the League system in the direction of greater international accountability was that the trust territories' inhabitants would have the right of petition directly to the "Regional Supervisory Council of that area".<sup>33</sup>

The Draft Constitution's trusteeship proposals were prepared despite Cordell Hull's earlier rejection of such a radical approach, and the more modest schemes he submitted to President Roosevelt in November 1942 and March 1943. The differing proposals reflected the continuing disagreements between Cordell Hull and Sumner Welles on the scope of a future international trusteeship system. They were not resolved until the latter resigned in September 1943 and was succeeded as Under Secretary of State by Edward Stettinius. Another

important factor was that Franklin Roosevelt had not yet finally committed himself on the trusteeship question, although officially apparently accepting Cordell Hull's more cautious approach. The latter suspended work on the Draft Constitution in the summer of 1943, and its trusteeship provisions were not put forward for international consideration.

The Staff Charter on the United Nations and Trusteeship. The next stage in the State Department's trusteeship proposals was reached with the formulation of Article 11 on "Territorial Administration" of "The Charter of the United Nations". In formulating Article 11, the officials started from the ideas contained in the revised Draft Protocol on Trusteeship and the Draft Declaration by the United Nations on National Independence; they were aware of the President's views and the adverse British reaction to the proposed Declaration. Work on the Staff Charter began in the summer of 1943 and completed by August 1943.<sup>34</sup> In accordance with Cordell Hull's views and as a concession to British hostility, the Staff Charter limited international accountability to "territories which may be placed under the authority of the United Nations by treaty or other agreement". Ruth Russell and Jeannette Muther point out that this provision recognised that special arrangements "would have to be made to transfer the mandates to United Nations jurisdiction and assumed that the major powers would have to agree on placing territories taken from Japan and Italy under the new organization. It also left the way open for further voluntary placements of territories under it, should some of the President's ideas on postwar trusteeship materialize."<sup>35</sup>

Responsibility for territories under trusteeship was vested in the Council of the new United Nations Organisation. The latter's "General Conference" consisting of all United Nations members would have no role in matters relating to "Territorial Administration". China, Great Britain, the

United States and the USSR would have permanent representation on the Council and its decisions would require their concurring votes.<sup>36</sup> This would enable the leading colonial power, Great Britain, to block arrangements she disliked, but the anti-colonialists (the United States, the Soviet Union and China), would also have a voice in dependencies under "territorial administration". The principle of Big Four unanimity would also help the United States protect her own interests in the former Japanese islands mandate.

The provisions designed to ensure the well-being of dependent peoples under territorial administration were almost identical even in phraseology to those of Article 12 of the Draft Constitution on International Organisation, apart from one important exception. Whereas Article 12, clause 4(a) had referred to "the preparation and education of the inhabitants for self-government", Article 11, clause 2(a) of the Staff Charter referred only to "the education and cultural advancement of the inhabitants".<sup>37</sup> Dependent peoples not placed under territorial administration, were catered for only by a provision requiring all United Nations members controlling them to observe "the same standards of administration" as were required for those coming under territorial administration.<sup>38</sup> It was generally accepted that Great Britain and the Commonwealth would retain their "B" and "C" class mandates, but in view of President Roosevelt's more radical ideas on trusteeship matters, direct administration by the Council was allowed as well as administration by single or groups of states.

While the Council would be responsible for overall policy, the actual executive role in ensuring international accountability would lie with special commissions (not designated as regional but conceived of as such). The "number, composition and powers" of these commissions to be defined by the Council. Unlike the Draft Constitution, the dependent peoples under territorial administration were not given the right to petition the Council or the commissions,

although the latter could "conduct inspections in territories under [their] supervision to ensure that the policies of the Council [were] being carried out, and [would] make periodic reports and recommendations to the Council".

The Informal Political Agenda Group and International Organisation for Maintaining International Peace and Security.

The Staff proposals for territorial administration were not considered formally by either Cordell Hull or President Roosevelt. The next stage in the evolution of American plans arose from the President's request for State Department recommendations on a postwar international security organisation following his return from the December 1943 Teheran meeting with Stalin and Churchill. The State Department responded with an outline for establishing an "International Organisation for the Maintenance of International Security" of December 1943.<sup>39</sup> It envisaged an "agency for trusteeship responsibilities" reporting to the "General Assembly" of all the member states; the "Executive Council" of the Great Powers having responsibility for security matters only. The President approved the overall suggested structure of the new international organisation in February 1944.

The Informal Political Agenda Group then began to consider specific proposals, including trusteeship ones. It convened frequently <sup>and</sup> had regular consultations with both the Secretary of State and the Under Secretary. Among its members with special interests in trusteeship questions, were Benjamin Gerig, Stanley Hornbeck and Leo Pasvolsky of the State Department, and Isaiah Bowman, the President of Johns Hopkins University. Leo Pasvolsky was particularly important. He had previously played a large part in formulating the draft "Declaration by the United Nations on National Independence", and became the "Group's member primarily responsible for trusteeship affairs and incorporating American proposals

regarding them into the overall scheme for creating a postwar international security organisation".<sup>40</sup>

The earlier ideas and proposals contained in the Draft Constitution and the Staff Charter formed the basis for the deliberations of the Informal Political Agenda Group and the State Department drafting technicians working alongside it. Their trusteeship proposals fall into three categories: general principles relating to all dependent peoples; regional commissions; and international trusteeship machinery for specific territories.<sup>41</sup> The new American Draft Declaration regarding Administration of Dependent Territories conceived by the Agenda Group, omitted the phrase "National Independence" because of the strong British objections to its inclusion in the March 1943 Draft Declaration. It was now also realised that references to target dates for independence might result in demands by peoples not yet prepared for it. Some members of the Agenda Group also realised that general declarations of principle on "independence" or "self-government" and the general welfare of colonial peoples, might well be seen by the European colonial powers as applying to American domains like Puerto Rico, Hawaii, and the Virgin Islands, and even the treatment of the North American Indians and Negroes. Largely because of such considerations, instead of the references in the earlier "Declaration by the United Nations on National Independence" to the colonial powers' "duty" to work for "the earliest practicable moment" to grant "full independence" to colonial peoples, the new proposed Declaration merely referred to the "duty" of administering authorities "to foster the development of political institutions suited to their needs and to develop their capacity for self-government". In accordance with this objective, colonial powers would safeguard the dependent peoples' political and civil rights, traditional cultures and institutions, increase their participation in local public services and "any regional institutions which may be established in the area", promote local self-government, and extend the franchise where

feasible. Eventually, in the light of the interests of the world community and the wishes of the dependent peoples themselves, administering authorities would grant self-government "on the basis either of independence or of autonomous association with other peoples within a state or a grouping of states".

The colonial powers would undertake to implement economic and social objectives in all their colonies similar to those contained in the draft "Declaration by the United Nations on National Independence", the draft Constitution on International Organisation, and the Staff Charter. There was an "open door" clause permitting third parties to take part in the development and trade of dependent territories. The colonial powers were also "to apply locally the provisions of general international conventions on such subjects as commercial equality, freedom of transit and navigation, the abolition of slavery and slave trading, and the control of traffic in arms, in dangerous drugs, and in women and children".<sup>42</sup>

The State Department's officials working alongside the Political Agenda Group proposed five regional commissions (for south, west, and central and east Africa, south east Asia, and the central and southern Pacific) to oversee the Draft Declaration's application to colonies not placed under international trusteeship. At this time, both the British and the Americans believed that the wartime Anglo-American Caribbean Commission afforded a good model for other regional agencies.<sup>43</sup> The new commissions would have advisory and collaborative roles only; dealing with common problems within regions like trade and economic development, transport, agriculture, health, education, housing, labour, civil rights, and law enforcement, but not political matters. Security questions were also excluded except in so far as they affected economic and social matters. Their membership would consist of the region's colonial powers, independent states, outside states with major interests in the region, dependencies

already enjoying a high degree of self-government, the new world organisation, and any trusteeship administration created under its auspices. Under the American plan, "wherever feasible", the dependent peoples themselves should be associated with or represented on their respective commissions. Provision was made for international accountability by giving each commission the right to review annual reports prepared by the colonial powers on "the political, economic, and social conditions" in each dependency and on "all efforts being made to give effect to this Declaration". The relationship with the new world organisation, however, was unclear. The Americans would have liked the regional commissions to be a link between the world organisation and colonial powers whose dependencies in a region were not under trusteeship, but the colonial powers might refuse to participate in the commissions if specific links were made with the world organisation. Thus, the plan allowed for the commissions to function independently at first; the private hope being that an organic link would develop later with the world body.

The Political Agenda Group examined the regional commission plan in the spring of 1944, and made some conservative amendments. In part these were a result of Isaiah Bowman's consultations with the Colonial Office when visiting London in April 1944 as a member of an American mission headed by Under Secretary of State Stettinius.<sup>44</sup> The revised American plan retained the notion of regional commissions, but excluded the actual list of proposed commissions. In the light of British criticisms, so far as a region's dependent people were concerned, the new commissions would merely "consider" the "advisability" of regional meetings in which both the colonial powers and dependent peoples were associated. The proposed element of international accountability was diminished. Membership of the regional commissions was restricted to the administering powers and others with major economic and/or security

interests in the region concerned. Initiatives for creating the commissions would come from the region's administering powers themselves, not the world organisation. The latter's role would be limited to encouraging the formation of commissions only and to being represented on them ex. officio. The proposal that administering powers "submit annual reports to the appropriate regional commissions" was retained. The commissions, however, were given no definite powers to ensure international accountability, and presumably would function as repository bodies for the reports only; as libraries rather than investigating instruments. Nevertheless, the Agenda Group still desired a link between the world organisation and all the dependent territories of a region. Clause (c) of the "Arrangements for Territorial Trusteeships" of July 1944, empowered the new world organisation's General Assembly "to establish advisory commissions of a regional or technical character with respect to trust territories situated in a given region".<sup>45</sup>

The most important aspect of the Informal Political Agenda Group's efforts to promote greater international accountability was the scheme for trusteeship directly under the new world organisation. Unlike the earlier Article 12 of the Draft Constitution intended to apply trusteeship to all dependent territories, the State Department drafters and the Political Agenda Group followed the more conservative lines of the Staff Charter and restricted it to League mandates, other non-self-governing territories of the Axis, and territories which might be voluntarily placed under the system. The reasoning behind the latter category in part was that it would assist in fulfilling President Roosevelt's objective of having French possessions like Indo China and Morocco helped to independence via some form of international trusteeship. It was hoped that this category would be acceptable to the colonial powers by making it a 'voluntary' form of trusteeship. The system's objectives resembled those of the earlier American plans in that there were references to

furthering international peace and security and all members of the new international organisation receiving non-discriminatory treatment in trust territories. The realisation of the need to obtain British agreement to the plan is shown by the fact that while the political, economic, and social advancement by peoples under trusteeship was to be promoted, the ultimate objective was "self-government"; no mention was made of independence.

The question of where sovereignty lay under the League mandates system had never been satisfactorily settled.<sup>46</sup> The Political Agenda Group disposed of this question for trust territories under the new system by the notion of collective sovereignty shared by all the members of the new international organisation. The administering authority for each trust territory would be an individual state or a "specially constituted international administration". The mandatories, apart from Japan, would retain their existing responsibilities and arrangements unless the new international organisation decided otherwise for particular cases. The particular circumstances and interests of individual trust territories and trustees, including those of the United States in the former Japanese mandated islands, were covered by a provision permitting the territorial charters constituting "the fundamental law" of each trust territory to "be so drawn as to take into account the special circumstances" of individual territories.

The State Department drafting group at first proposed giving responsibility for the trusteeship system to the new Executive Council of the Great Powers assisted by a "Trusteeship Commission"; the latter being a revised and strengthened version of the League Mandates Commission. They eventually placed the trusteeship system and the new "Trusteeship Commission" under the new international organisation's General Assembly, although giving the Executive Council responsibility for security issues relating to trust territories if these involved creating military bases; a

provision later omitted by the Informal Political Agenda Group. Under the original State Department blueprint the Trusteeship Commission would have two types of member: the states administering trust territories; and an equal number of representatives plus one from non-administering states elected by the General Assembly. The Agenda Group, however, revised this provision so that there would be equal representatives from administering and non-administering states; thereby hoping to make this particular element of international accountability more acceptable to the existing mandatories. The Trusteeship Commission would be a political body composed of government representatives rather than well-qualified individuals as had been the case with the Permanent Mandates Commission. In finally approving the trusteeship plan, the Postwar Programmes Committee<sup>47</sup> changed the name of the "Trusteeship Commission" to the "Trusteeship Council". It also underlined more firmly the General Assembly's right to initiate action and to take final decisions on the retitled Trusteeship Council's recommendations. The respective powers of the General Assembly and Trusteeship Council as finally accepted by the Postwar Programmes Committee were as follows:

"1. The general assembly should be empowered: (a) to call for, receive, and consider the reports, recommendations, and decisions of the trusteeship council; (b) to take action upon the recommendations of the trusteeship council concerning the initial territorial charters, alterations in such charters, designation of administering authorities, removal of such authorities for good cause, and the conditions of termination and the act of termination of trusteeship in any territory; (c) to establish advisory commissions of a regional or technical character with respect to trust territories situated in a given region; and (d) to encourage and facilitate cooperation between the administering authorities and the specialised agencies brought into relationship with the international organisation.

2. The trusteeship council exercising general supervision over trust territories, should be empowered: (a) to advise the administering authorities; (b) to examine reports from the administering authorities; (c) to interrogate representatives of those authorities; (d) at its discretion, to receive petitions and to hear petitioners in person;

(e) to recommend or pass comment upon economic projects of more than a minor local character and to conduct investigations relevant to such projects; (f) to conduct periodic inspections in the trust territories; and (g) to make recommendations to the general assembly regarding the territorial charters, the administering authorities, and other aspects of the trusteeship system.<sup>48</sup>

Reconsideration and Postponement Immediately prior to the trusteeship scheme's consideration in June 1944 by the Postwar Programmes Committee, the Political Agenda Group reconsidered the scope of its proposed trusteeship system because of objections from within the State Department itself and, more importantly and significantly for the future, from the Navy and War Departments.<sup>49</sup> The objection from within the State Department came from those who continued to urge a wider international trusteeship system embracing all dependent peoples. They believed that this would be an important vehicle for assisting more advanced dependencies to at least some measure of "self-rule" and in so doing help reduce political instability due to the rising tide of nationalism among colonial peoples. This understanding of the situation in many ways reflected the views of President Roosevelt himself. The desire for a wider trusteeship system, however, was rejected by the Political Agenda Group on the practical ground that Great Britain and the other European colonial powers would almost certainly refuse to accept or to participate in such a scheme. Another consideration was that the wider trusteeship scheme might well cause severe strains on the new world organisation.

The Navy and War Departments' objections to trusteeship are considered in Chapter 6. At this stage however, it should be underlined that they believed that the Political Agenda Group's trusteeship formula would hamper unfettered American control of the Japanese mandated islands. The Joint Chiefs of Staff had informed Cordell Hull in May 1944 that they "support the concept of national as distinguished from United Nations' jurisdiction as regards the Japanese Mandates in the

Pacific".<sup>50</sup> The Agenda Group tried to satisfy the military concern by suggesting a qualifying clause "that would permit the states concerned with areas to be brought under trusteeship to make whatever security arrangements they wished, regarding the mandated and ex-enemy territories, before turning their rights over to the new organisation".<sup>51</sup> It also emphasised to the Postwar Programmes Committee that the Joint Chiefs of Staff must be consulted before definitive recommendations were made regarding the Japanese mandated islands.

The Postwar Programmes Committee approved with minor modifications the Agenda Group's various proposals on dependent territories. The "Arrangements for Territorial Trusteeships" was accepted as part of the American "Tentative Proposals for a General International Organisation" to be discussed with Great Britain, the Soviet Union and China at the Dumbarton Oaks meeting on a new postwar-international organisation due to commence in August 1944; subject to their being acceptable to the Navy and War Departments.

### 3. President Roosevelt and International Trusteeship

Franklin Roosevelt's dislike of European colonialism should be seen against two predominant Second World War considerations: successfully prosecuting the war against the Axis; and safeguarding American interests in the postwar world, especially the security interests. In fact, his wartime views on colonialism in many respects reflect his concern with security issues. The President mixed idealism with caution. The long-established American tradition of political isolation and the failure only some twenty years or so before of President Wilson's attempt to commit the United States to joining the League of Nations, were constant warnings of the dangers of taking too precipitate steps in the direction of world organisation. Franklin Roosevelt himself had been the Democratic Party's candidate for Vice-President in the 1920 American presidential election when the

Republicans led by Warren Harding swept to power on a wave of isolationist anti-League sentiment symbolised by the slogan "back to normalcy". It is hardly surprising therefore that President Roosevelt did not wish to be identified with schemes to resurrect the League of Nations.<sup>52</sup> Consequently, although advocating some kind of international accountability for colonies, he was not favourably disposed to the mandates system. This was demonstrated in November 1942 when writing to General Smuts about his ideas concerning "certain trusteeships to be exercised by the United Nations where the stability of government for one reason or another cannot at once be assured":

"I a mandate soon comes to believe that it carries sovereignty with it."<sup>53</sup>  
the right approach, for the nation which is given the mandate soon comes to believe that it carries sovereignty with it."<sup>53</sup>

Overall, despite a predilection for testing radical ideas in private conversation, the President was very careful in public wartime pronouncements on postwar international cooperation not to be too far in advance of American public opinion, and, so far as policy issues were concerned, to carry Congress with him and to develop a bipartisan approach. Moreover, in some respects his public anti-colonial enunciations can be interpreted as attempts to appeal to deeply ingrained American sentiments and prejudices.

President Roosevelt's preference for informal methods and channels of administration creates problems when trying to analyse his various wartime policy motives. Ruth Russell and Jeanette Muther suggest that "he was less interested in systematically developing a detailed plan of postwar organisation than in testing reactions to various ideas and in launching 'trial balloons' without committing himself".<sup>54</sup> Certainly, his various utterances on the future of dependent peoples can be interpreted in this light. The President often discussed his ideas on trusteeship and other matters freely and informally, giving his listeners, fellow Americans and

wartime Allies alike, the impression that his views were evolving independently of the State Department.

Notwithstanding his informality, however, in so far as it was possible to do so, he controlled the State Department and kept its policies in line with his own; this was especially the case when Edward Stettinius became Secretary of State. The uncertainty arising from the President's informal manipulative methods, is well illustrated by the fact that in the early war years so far as trusteeship questions were concerned, Under Secretary of State Welles appeared to be closer to the President than did Secretary of State Hull; although publicly, the President supported the latter's moderate line in preference to the former's more radical one. Moreover, while publicly supporting the State Department's plans for international trusteeship which would include the Japanese mandated islands, there was sufficient doubt as to his views to predispose James Forrestal and Henry Stimson, respectively Secretaries of the Navy and War, to believe that they could obtain his agreement for unfettered American control of those islands.

There is evidence to suggest that during his youth, Franklin Roosevelt was by no means an anti-imperialist and endorsed the expansion of American influence in the Caribbean during the late nineteenth and early twentieth centuries.<sup>55</sup> However, he gradually came to see "the error of his thinking on imperialism and strongly sponsored a different sort of programme".<sup>56</sup> Thus, in an article for Foreign Affairs in July 1928, he strongly criticised American imperialist policies in the Caribbean:

"The time has come when we must accept not only certain facts but many more new principles of a higher law, a new and better standard in international relations. We are exceedingly jealous of our own sovereignty and it is only right that we should respect a similar feeling among other nations."<sup>57</sup>

The outbreak of the European phase of the Second World War in 1939 and the growth of Japanese power in South East

Asia, confirmed President Roosevelt in his anti-colonial sentiments. Well before the United States entered the war, he saw the need to convince the peoples of Asia as well as of Europe that the cause of freedom was the Allied cause. For example, his address to the White House Correspondents Association on March 15, 1941:

"There has never been, there isn't now, and there never will be, any race of people on earth fit to serve as masters over their fellow men. We believe that any nationality, no matter how small, has the inherent right to its own nationhood."<sup>58</sup>

Like many Americans, Franklin Roosevelt believed that colonialism, particularly the British brand, created artificial barriers harming both international trade and the dependent peoples concerned. For example, he maintained that because of the British Empire's trade arrangements, "the people of India and Africa, of all the colonial Near East and Far East, are still as backward as they are".<sup>59</sup> The President also believed that "the colonial system means war"<sup>60</sup>. His anti-colonial sentiments were firmly rooted in the belief that independence was a natural and desirable goal for most if not all dependent peoples to pursue. The President's images of the successful American War of Independence from British rule and the United States' historical experiences since then, lay at the back of his distaste for British colonialism. Winston Churchill believed that Franklin Roosevelt's ideas on the British Empire were antiquated, especially regarding British rule in India:

"The President's mind was back in the American War of Independence, and he thought of the Indian problem in terms of thirteen colonies fighting George III at the end of the eighteenth century."<sup>61</sup>

President Roosevelt maintained, however, that all the European colonial powers could profit from the lessons of the American relationship with the Philippines: "I like to think that the history of the Philippine Islands in the last forty-four years provides in a very real sense a pattern for the future of other small nations and peoples of the world".<sup>62</sup> The

crucial point is that no matter how well or how poorly founded his perceptions of colonialism, the wartime leaders of the European colonial powers could not ignore them. Winston Churchill, for example, might be irritated by what he perceived as the President's naive, simplistic, historical perspective on colonial questions, but he had to accept them and attempt to contain his feelings as Great Britain was irrevocably linked to the United States in the war against the Axis; Franklin Roosevelt's good will being essential both before and after American entry into the war in December 1941. As Foster Rhea Dulles and Gerald Ridinger observed, it was also the President's "apparent conviction that the overwhelming need of Churchill to assure British survival would enable the United States to exercise decisive pressure in favour of an entirely new approach to colonial problems everywhere".<sup>63</sup>

The President's brand of anti-colonialism was essentially a mixture of idealism and American national advantage. He genuinely believed that dependent peoples should be held in colonial bond only until they were ready to rule themselves; and that the United States had a unique record in colonial matters which the European colonial powers could usefully follow. Franklin Roosevelt was also opposed to any of the wartime Allied powers bringing more dependent peoples into their colonial domains; a prohibition which included the United States. At the same time, however, he believed that various small islands, especially the Japanese mandated islands in the Pacific, were vitally important for American national security. Unlike his military advisers, the President opposed their annexation by the United States, and instead maintained that she should administer such islands on behalf of the international community on a long if not perpetual lease. On first sight such a policy stand might appear to be no more than a hypocritical or opportunist cloak for annexation. Perhaps a truer image is that he genuinely conceived American and world security interests as synonymous.

Another policy consideration was that if the United States annexed the Japanese mandated islands, Great Britain and the other European colonial powers might well annex their mandates and generally attempt to extend their colonial domains.

#### The Four Policemen, Trusteeship and International Security.

The equation between American and world interests in the President's understanding of postwar international cooperation emerges from his comments in September 1941 to Myron C. Taylor, his Personal Representative to Pope Pius XII:

"there seems no reason why the principle of trusteeship in private affairs should not be extended to the international field. Trusteeship is based on the principle of unselfish service. For a time at least there are many minor children among the peoples of the world who need trustees in their relations with other nations and peoples, just as there are many adult nations or peoples which must be led back into a spirit of good conduct."<sup>64</sup>

Ruth Russell and Jeannette Muther point out that the President was giving the trusteeship principle "a new turn"; this particular presidential objective eventually evolved into what became known as the "Four Policemen" concept; "whereby the great powers would patrol the world for the benefit of all peace-loving nations".<sup>65</sup> Within the President's general ideas, there were two related considerations so far as trusteeship and dependent territories were concerned. First, to assist them to protect world peace, the principal members of the Allied wartime coalition should control certain strategic bases or areas located in what were colonial dependencies; ostensibly holding these "strategic" trusts on behalf of the international community. Second, in addition to their peacekeeping duties, the "Four Policemen" would be responsible for the progress of the dependent people concerned. Essentially, Franklin Roosevelt believed that one lesson of the first half of the twentieth century was that small states were incapable of defending themselves against aggressors, and had to rely on the help of more powerful states. The Four Policemen (China, Great Britain, the United

States and the USSR), would act on behalf of the weaker members of the international community. From this concept emerged both the notion of special rights for these "Policemen" in what became the United Nations' Security Council and the idea of "strategic trusts".<sup>66</sup>

Molotov's Visit to Washington of May 1942. Although postwar security arrangements involving colonial territories depended more on British than Soviet consent, it was to the Russians that President Roosevelt initially disclosed his thoughts on the strategic aspects of the colonial question. This first occurred during Foreign Minister Molotov's visit to Washington in May 1942. In the course of discussing the future global peace activities of the "Four Policemen", the President stated "that there were all over the world, many islands and colonial possessions which ought, for our own safety, to be taken away from weak nations", and suggested establishing "some form of international trusteeship over these islands and possessions". He even suggested applying this principle to the Japanese Pacific islands mandate and British held islands:

"the Japanese....mandate over the previously German Islands in the Pacific....ought not to be given to any one nation. The Japanese should....be removed, but we did not want these islands, and neither the British nor the French ought to have them either....Perhaps the same procedure should be applied to the islands now held by the British. These Islands obviously ought not to belong to any one nation, and their economy was substantially the same everywhere. The easiest and most practical way to handle the problem of these islands for a long period would be to put them under an international committee of 3-5 members."<sup>67</sup>

Anthony Eden's Visit to Washington of March 1943. At the time of this visit, the then American Secretary of the Navy, Frank Knox, intimated to President Roosevelt that it might be opportune "to attempt an understanding with the British that they will support and approve after the war, our control and possession of all the Japanese mandated islands in the Pacific".<sup>68</sup> The President did not follow this advice as he

continued to desire American control of the islands under some form of trusteeship. In fact, when Anthony Eden said that they should become the property of the United States, the President maintained that the islands should be "under some kind of trusteeship". The British Foreign Secretary for his part was extremely suspicious of Franklin Roosevelt's suggestion that so far as security in the Far East was concerned, China should be a trustee power and Hong Kong returned to her as a token of "goodwill".<sup>69</sup> On the whole, however, in view of British antipathy to outside interference in her colonial domains, President Roosevelt refrained from referring to the use of British dependencies as strategic bases for the "Four Policemen". He was not so restrained so far as French ones were concerned:

"All other Pacific islands (with exception of the two groups mentioned below) would remain under their present sovereignty, British, French, or whatnot, but would have a common economic policy such as is to be set up in the West Indies. The French Marquesas and Tuamotu Islands would pass to the United Nations, for use respectively as stages on the northern and southern air routes across the Pacific from the Caribbean area to Australia and New Zealand. Korea and French Indo-China would pass under international trusteeship; for the former the trustees might be the United States, the Soviet Union and China."

Franklin Roosevelt's ideas, moreover, were global in scope and not confined to the Pacific area. He suggested, for example, that "Dakar and Bizerta were of the greatest importance for the defence respectively of the United States and the Mediterranean. His idea was that the United States should act as policemen for the United Nations at Dakar and Great Britain at Bizerta".<sup>70</sup>

The Foreign Ministers Conference at Moscow, October 1943. At the briefing session on October 6, 1943 for the American delegation prior to their departure for Moscow, Franklin Roosevelt told Cordell Hull and Admiral William Leathy that the United States "ought to lay great stress on the

possibilities of the trusteeship idea and apply it widely to all sorts of situations":<sup>71</sup>

- "1. The Baltic passages - Kiel and the Straits - might each be set up as a free zone, under international trustees.
2. A similar zone might be arranged for Russia and the Persian Gulf.
3. The British might, as a gesture of generosity, return to China sovereignty over Hong Kong and its peninsula, while China might, in return, immediately declare Hong Kong a free Port under international trusteeship.
4. Indo-China might be placed under international trusteeship.
5. The mandated islands of the Pacific might be taken away from Japan and placed under international trustees.
6. Security points in many parts of the world might be placed under international trustees - Truk, Bonine Islands, Kurile Islands (although the Kuriles should really go to Russia), Rabaul or some point in the Solomons, appropriate points in the Dutch East Indies, Ascension Island, Dakar, some point in Liberia."<sup>72</sup>

Franklin Roosevelt emphasised that a "variation of the Trusteeship idea might be applied to colonial areas". He said that the American draft "Declaration of the United Nations on National Independence" had "great possibilities", especially its "inspection and publicity features, which would be powerful means of inducing colonial powers to develop their colonies for the good of the dependent peoples themselves and of the world".<sup>73</sup> However, as Anthony Eden had already written to Cordell Hull stating that "in general" Great Britain could not agree with the American draft Declaration, the Secretary of State distributed it to Eden and Molotov at the Moscow meeting "solely to give.... an idea of the [American] position".<sup>74</sup> Anthony Eden would not discuss it and repeated that "his Government was not in agreement with the views set forth".<sup>75</sup>

The Tehran Conference of November/December 1943<sup>76</sup> During the deliberations between Winston Churchill, Franklin Roosevelt and Joseph Stalin at the Tehran Conference, the use of colonies as strategic bases was again raised. The President reiterated that the United States did not want sovereignty

over the Japanese Pacific islands mandate. He also criticised France's record and suggested that at least some of her colonies be placed under trusteeship:

"He mentioned specifically the question of New Caledonia and Dakar, the first of which he said represented a threat to Australia and New Zealand and, therefore, should be placed under the trusteeship of the United Nations. In regard to Dakar, the President said he was speaking for twenty-one American nations when he said that Dakar in unsure hands was a direct threat to the Americas."<sup>77</sup>

Harry Hopkins elaborated on the President's notion of strategic bases to Eden and Molotov:

"The location of these future strong points and what they will require in the way of land, sea and air forces will have to be worked out with a view as to who would be a potential enemy. The President feels it essential to world peace that Russia, Great Britain, and the United States work out this central question....the question of building up bases in the Pacific should not be a difficult one. The Americans do not want sovereignty over any of the islands that are freed from the Japanese. The United Nations may exercise some sort of protective influence over them. As regards the Philippines, when they gain their independence we would still consider it advisable to have naval and air bases there under United States rather than United Nations control."<sup>78</sup>

Winston Churchill made it very clear that "with reference to the occupation of bases and strong points in the vicinity of Germany and Japan", there was no question of British territory being placed under trusteeship for such purposes. He "stated that as far as Britain was concerned they do not desire to acquire any new territory or bases, but intended to hold on to what they had":

"He said that nothing would be taken away from England without a war. He mentioned specifically Singapore and Hong Kong. He said a portion of the British Empire might eventually be released but that this would be done entirely by Great Britain herself, in accordance with her own moral precepts. He said that Great Britain, if asked to do so, might occupy certain bases under trusteeship, provided others would help pay the cost of such occupation."<sup>79</sup>

Thus, so far as his ideas on strategic bases under trusteeship were concerned, the President was left in little doubt that the traditional colonial power among the designated

"Four Policemen", Great Britain, opposed them, especially if they appeared to threaten British sovereignty over her dependencies.

Apotheosis. President Roosevelt's perception of trusteeship as a vehicle promoting international security reached its apotheosis in the early part of 1944. The fundamental point to grasp is that he continued to see no contradiction between American and global security. The use of trust territories as bases for an international police force or furthering international trade remained a constant theme in his conception of the postwar peace settlement in general and the colonial settlement in particular. That his views on the future of such disparate territories as the Bonins, Dakar, and Hong Kong, aroused the suspicions of the United States' Western European wartime allies, was of comparatively minor concern to the President in the early part of 1944. By the time of the Yalta Conference between the Big Three in February 1945, however, the President's enthusiasm for trusteeship as a vehicle to internationalise strategic and other bases had somewhat waned. This was due in part to preoccupation with more immediate wartime issues and a general loss of energy because of his declining health. As is be shown in Chapter 6, there was also the need to take into consideration both the American military's desire for strategic bases, especially unfettered control of the Japanese mandated islands, and Great Britain's intention to retain full control of her dependencies.

#### Franklin Roosevelt and the Future of Dependent Peoples.

Although the President's perception of trust territories as bases for the future international policemen reached its peak in the first half of 1944, there is no real evidence to suggest that he ever qualified his belief that the interests of dependent peoples would be served best by placing them under some form of international trusteeship. As already

indicated, however, President Roosevelt did not believe that dependent peoples could necessarily achieve independence immediately or that it would be wise for them to do so. Instead, he favoured building on the American experience in the Philippines and having independence as a goal to be achieved within a finite time period; this process taking place within the context of some form of international trusteeship. His views were explained to Molotov during the latter's visit to Washington in May 1942:

"Turning to the question of colonial possessions, the President took as examples Indo China, Siam, and the Malay States, or even the Dutch East Indies. The last-mentioned would some day be ready for self-government, and the Dutch know it. Each of these areas would require a different lapse of time before achieving readiness for independence, but a palpable surge towards independence was there just the same, and the white nations thus could not hope to hold these areas as colonies in the long run. Chiang Kai-Shek... therefore had the idea that some form of interim trusteeship would be the best mode of administering these territories until they were ready for self-government. They might, the President added, be ready for self-government in twenty years, during which the trustees might endeavour to accomplish what the United States did for the Philippines in forty-two years."<sup>80</sup>

The essential ingredient of Franklin Roosevelt's advocacy of international trusteeship for advancing dependent peoples, was that the colonial powers could not be trusted to do this if they retained unrestricted sovereignty. His own wartime journeys and observations, albeit of necessity of a cursory nature, merely confirmed and reinforced his dislike of colonialism. For example, his comments on British rule in Gambia following a brief stay in Bathurst, the colony's capital, while on route to his Casablanca meeting with Winston Churchill in January 1943:

"This morning.... at about eight thirty, we drove through Bathurst to the air field. The natives were just getting to work. In rags... glum-looking... They told us the natives would look happier around noon time, when the sun should have burned off the dew and the chill. I was told the prevailing wages for these men was... one shilling ninepence. Less than fifty cents ...  
... Fifty cents a day. Besides which they're given a half-cup of rice... Dirt. Disease. Very high mortality rate.

... Life expectancy ... Twenty-six years. Those people are treated worse than the livestock. Their cattle live longer."<sup>81</sup>

These became a frequently quoted example of the iniquities of colonialism. Thus, he described his impressions of the Gambia to a press conference in February 1944:

"I think there are about three million inhabitants, of whom one hundred and fifty are white. And it's the most horrible thing I have ever seen in my life .... the natives are five thousand years back of us. Disease is rampant, absolutely. It's a terrible place for disease."<sup>82</sup>

To President Roosevelt, British rule in the Gambia aptly demonstrated that colonialism was "just plain exploitation" of the dependent people concerned:

"I looked it up .... and I got to the point of view that for every dollar that the British, who have been there for two hundred years, have put into Gambia, they have taken out ten."<sup>83</sup>

At the Cairo Conference of November 1943, he emphasised that the French "would have no right, after-the war, simply to walk back into Indo-China and reclaim that rich land for no reason other than it had been their colony":

"the most the French should have was a trusteeship of their colonies responsible to a United Nations organisation looking toward eventual independence, once the United Nations were satisfied that the colonies could manage their own affairs."<sup>84</sup>

At the Teheran Conference which immediately followed the Cairo one, the President confided his views on the future of Indo-China and trusteeship privately to Marshall Stalin:

"The President said....that after 100 years of French rule in Indo-China, the inhabitants were worse off than they had been before. He said that Chiang Kai-shek had told him [that]....the people of Indo-China were not yet ready for independence. To which he had replied that when the United States acquired the Philippines the inhabitants were not ready for independence.... He added that he had discussed with Chiang Kai-shek the possibility of a system of trusteeship for Indo-China which would have the task of preparing the people for independence within a definite period of time, perhaps twenty to thirty years".<sup>85</sup>

Indeed, a constant theme in the President's views on the postwar world, was that Indo-China should be placed under some

form of international trusteeship in the best interests of its native inhabitants. The British were aware of his views on this matter. For example, Franklin Roosevelt had raised the issue during Anthony Eden's visit to Washington in March 1943, and raised it again with the British Ambassador to Washington, Lord Halifax, in the early part of 1944:

"I... told him quite frankly that it was perfectly true that I had, for over a year, expressed the opinion that Indo-China should not go back to France but that it should be administered by an international trusteeship. France has had the country....for nearly one hundred years, and the people are worse off than they were at its beginning".<sup>86</sup>

The Cairo Declaration of December 1st, 1943, signed by China, Great Britain, and the United States, in the President's eyes at least was a milestone setting forth universal rights to independence. He emphasised this right in a radio address to the American people:

"At Cairo....we were able to discuss certain....long-range principles which we believe can assure peace in the Far East for many generations to come.

Those principles are as simple as they are fundamental. They involve the restoration of stolen property to its rightful owners and the recognition of the rights of millions of people in the Far East to build up their own forms of self-government without molestation....

Britain, Russia, China and the United States.... must be united and cooperate with all the freedom-loving peoples of Europe, and Asia, and Africa, and the Americas. The rights of every Nation, large or small, must be respected and guarded as jealously as are the rights of every individual within our own Republic.

The doctrine that the strong shall dominate the weak is the doctrine of our enemies - and we reject it."<sup>87</sup>

Overall, President Roosevelt's personal commitment to the notion of some form of international trusteeship to aid dependent peoples achieve independence was of crucial importance. His views were vague and at times rather home-spun, frequently expressed in an anecdotal fashion. Often, they were not fully thought-out to their logical conclusions; too concerned with generalities to be able to withstand sustained criticism. But what else could be expected? As the head of the most important member of the Allied wartime

coalition, he had more immediate matters calling for his attention than the postwar future of dependent peoples. It is also true that he did not keep his Administration fully conversant with his plans on trusteeship; particularly the various groups within the State Department working on specific blueprints to institutionalise international accountability in the postwar world. Indeed, so far as the Cairo Declaration was concerned, the State Department's Territorial Subcommittee actually working on plans regarding the Japanese Far Eastern empire, did not have "any indication as to the contents of the 'Declaration'" and only learned of its details as they "appeared on the ticker tape".<sup>88</sup> Yet even if his advisors were not always fully conversant with his ideas, neither they nor the United States' British wartime allies could be in any doubt of the President's general dislike of colonialism and desire to see some form of trusteeship established in the postwar world.

Moreover, while often ambiguous, a constant theme in his ideas was that international trusteeship would assist dependent peoples achieve at least a measure of self-government more efficiently and rapidly than would the status quo system where the colonial metropolises had unrestricted control. Even if trusteeship meant little more than the right to inspect dependencies by the international community, this was preferable to untrammelled sovereignty by the colonial powers. President Roosevelt also interpreted trusteeship in a sufficiently elastic manner to regard it as synonymous with American national interests. The importance of the Japanese mandated islands to American security was as clear to him as it was to those Americans who wished to annex them; their number including many of his closest and most senior military and civilian advisers as well as leading members of Congress. Indeed, in many ways, it would have been easier for him to have given way and annexed those islands. The United States' wartime allies would certainly not have objected. In fact, Great Britain suggested such a policy and

would have welcomed it; especially as it might help protect her control of the British Empire in the postwar world.

President Roosevelt opposed annexation; anti-colonialism being an integral part of his political philosophy. There is much truth in Willard Range's assessment that Franklin Roosevelt was generally consistent "in his desire to see colonialism and spheres of influence replaced by trusteeships and independent states formed on the basis of self-determination. As a practical politician faced with specific problems he was often forced to compromise and accept half a loaf."<sup>89</sup> President Roosevelt has the greatest claim to be called the father of the United Nations trusteeship system because of the constancy and conviction of his ideas rather than their actual substance. Like Woodrow Wilson and the League mandates system, Franklin Roosevelt's strength of purpose preserved the notion of trusteeship when others might well have compromised.

#### 4. Great Britain and the postwar future of dependent peoples<sup>90</sup>

Although there were considerable Anglo-American misunderstandings over international accountability throughout the war, there was also much greater trans-Atlantic communication at all levels, from diplomatic summits by Winston Churchill and Franklin Roosevelt to exchanges by relatively minor officials, than had been the case with the Lloyd George and Woodrow Wilson Administrations during the First World War. Yet there was still suspicion and the absence of clear perceptions of each others' motives clouding Anglo-American discussions and collaboration over colonial questions. To many British officials at all levels, American suggestions of trusteeship for the Japanese mandated islands in the Pacific and some European dependencies, were merely guises for promoting American interests. Richard Law, for example, suggested that the desire for an Anglo-American declaration on the principles to govern colonial

administration expressed by Isaiah Bowman in his visit to London in April 1944, was partly determined by Franklin Roosevelt's strategy for the 1944 American presidential elections:

"If no such declaration were made, the President would be accused, during the forthcoming Presidential Election in the United States, of being a champion of imperialism."<sup>91</sup>

The basic attitude of Winston Churchill's wartime government to colonial problems was two-fold: no diminution of the British Empire and no interference in its affairs by outside forces - whether they were the United States or the envisaged postwar United Nations. The views of the Prime Minister were in many respects anachronistic, influenced as they were by his formative years and experiences as a young man during the later years of the Victorian age. His attitudes in large part had been determined by first-hand observations of the British Raj, the struggle against the barbarous hordes of the "Mad" Mahdi and his dancing Dervishes in the Sudan, and the vicissitudes of the Boer War. These observations might have been over-glamourised, simplistic, and even false, but they underlay a firm belief that an essential ingredient for a secure and peaceful postwar world was a strong and prosperous British Empire.

Oliver Stanley, the Colonial Secretary for much of the war, agreed with Winston Churchill in opposing international supervision of the British colonies. In March 1943, he publicly stated that "the administration of British colonies must continue to be the sole responsibility of Great Britain".<sup>92</sup> To satisfy the Labour members of the British War Cabinet and the Roosevelt Administration, however, the Colonial Office did countenance essentially voluntary "consultative committees" at the regional level, nothing more. Moreover, the Colonial Office view was that the League mandates system itself should be abolished.

The Foreign Office, however believed that the Colonial Office's hard line was a mistake; a belief which grew stronger

as the Second World War progressed and Great Britain's dependence on the United States became more apparent. For example, Sir Alexander Cadogan, the Permanent Under Secretary of State, suggested that obtaining future American economic assistance might become more difficult because of Colonial Office intransigence on the question of international accountability. There was a colonial quid quo pro for American aid:

"the United States approach to the problem would probably be that we were asking them to 'underwrite' the British Empire and that from their point of view it was natural that they should expect to have some say in how the British Empire was run."<sup>93</sup>

should expect  
run."<sup>93</sup>

#### Declaration by the United Nations on National Independence

Official British plans on the international dimensions regarding the future of dependent peoples for much of the war were essentially negative and often merely a response to American initiatives, real and imagined. Thus, as already indicated, the British Government opposed the American proposal for a Declaration by the United Nations on National Independence. London disliked all pronouncements suggesting that "independence" was the inevitable goal of benevolent colonial policy. Anthony Eden told Cordell Hull at the first Quebec Conference in August 1943, that the word "independence" troubled him as he had to think of the British Empire system which was built on varying degrees of self-government:

"running from the Dominions through the colonial establishments which had in some cases, like Malta, complete self-government, to backward areas that were never likely to have their own government. He added that Australia and New Zealand also had colonial possessions that they would be unwilling to remove from their supervisory jurisdiction."<sup>94</sup>

Anthony Eden's objection to the word "independence" prevented any agreement even though Cordell Hull pointed out that his intention was only "to give encouragement to the peoples in dependent areas":

"This was not with any view to their being given, tomorrow or next week, complete independence as separate entities,

but to offer them, at some time when they could prove they were capable of independence, the possibility of so conducting their political development that they might be able to hope for this achievement."<sup>95</sup>

American proposals, however, did provide the impetus for the British to rethink and formulate schemes of their own. Anthony Eden especially attached "the greatest importance" to Great Britain "taking the initiative" as if matters were allowed to drift, it could "well be confronted by a draft Declaration composed by the Americans" which could "be far less satisfactory" from the British point of view.<sup>96</sup>

Regional Cooperation The first official British plans were formulated in September 1942 and based on voluntary regional cooperation by the administering powers as an alternative to trusteeship and international accountability. The then Colonial Secretary, Lord Cranborne, envisaged 'Regional Councils' to replace the Permanent Mandates Commission:

"the functions of the international supervisory body would be analogous to the Mandates Commission but that instead of being composed of representatives of small states having no practical experience of colonial administration it would consist of representatives of the administering States themselves and would be in a sense an expert body of which the members, in considering particular problems would be aware of kindred problems in the territories under their own administration."<sup>97</sup>

He proposed "consultative Committees" in each main "Colonial area, the Far East, Africa, and the Caribbean"; to be "composed of representatives of all the nations interested territorially in those particular areas". While the United States would have to be represented on the "Caribbean Committee" where she "would be a great nuisance" and "constantly be interfering in the internal affairs of our West Indian Colonies", she could be "excluded" from "the African Continent" as "they have no territorial interests there". There would be no accountability to any international body:

"These regional committees would in one essential respect be different from the [Permanent Mandates Commission]....That body was formed to ensure the application in the mandated territories, of certain principles, and to report to an

outside body, the League. The Committees which I have in mind would have nothing to do with any outside body."<sup>98</sup>

Lord Cranborne's successor as Colonial Secretary, Oliver Stanley, developed the regional idea. His ideas were outlined to the House of Commons in July 1943. He pointed out that "developments of modern transport and modern communications have brought close together vast areas which before were widely separated". Therefore, it would be sensible to establish cooperative machinery in the form of "Commissions for certain regions" as "many of the problems today are common problems and can only be solved in cooperation, for problems of security, of transport, of economics, of health, etc., transcend the boundaries of political units". The Commissions "would comprise not only the States with Colonial Territories in the region, but also other States which have in the region a major strategic or economic interest". He implied that these regional commissions would function better than the Permanent Mandates Commission as it would now "be possible to have international cooperation which consisted of something more than theoretical discussion" and "able to grapple with realities and get down to the solution of individual problems". While emphasising that "We retain complete control of our administration", there was an international dimension, albeit regional and collaborative rather than global and accountable:

"While each State would remain responsible for the administration of its own territory, such a Commission would provide effective and permanent machinery for consultation and collaboration so that the States concerned might work together to promote the well being of the colonial territories."<sup>99</sup>

Participation in the work of the regional commissions would be optional not compulsory on the part of the administering powers. It was proposed, moreover, "to confine" the commissions' powers to "mutually helpful and consultative" ones.<sup>100</sup> In fact, implicit throughout was the policy doctrine that Great Britain's colonial administration was not to be

accountable to the regional commissions or to any other international body.

The scheme was based on the assumption<sup>then</sup> held by Winston Churchill and others, that the world was too large and too complex to be organised as one single international system; therefore, it must be divided up into a few suitable regions (Africa, America, Asia, Europe and so forth) for the purposes of all future international collaboration.<sup>101</sup> So far as the United States was concerned, the primary objective of British policy was to divert the State Department away from schemes envisaging a single global institution with responsibilities for dependent territories and towards plans for specific regional commissions for particular territories.

Unfortunately, from the British point of view, while President Roosevelt was inclined to favour regional schemes as a part of the accountability system, the American Secretary of State, Cordell Hull, believed that international problems were best tackled on a global rather than a regional basis.

The discussions which Isaiah Bowman had in London with British ministers and officials in April 1944 on future international collaboration regarding dependent peoples demonstrated the difference in emphasis between Great Britain and the United States over the regional aspect. The British were left in little doubt that the Americans believed that solely regional solutions to questions of international accountability for dependent peoples, would be insufficient and that there must be a truly international element:

"He stressed the fact that public opinion in the United States demanded that something should be said on the subject in connection with the World Organisation and that it was not sufficient to leave it to evolve from whatever regional organisations might be set up."<sup>102</sup>

Oliver Stanley's attitude to making regional commissions accountable to the envisaged United Nations or to any other international body, was assessed by Dr. Bowman; "he would see us in Hades before he agreed to such a proposal".<sup>103</sup> The Colonial Secretary, however, had by then come to accept that

administering powers should publish "annual reports which [should] be transmitted to a receiving centre attached to the World Organisation". But this "organisation would do nothing more than acknowledge receipt and retain the reports available for inspection".<sup>104</sup> He was determined to give nothing else away in the direction of international accountability. In his mind at least, there was no question of the reports being used as the basis for some form of supervision regarding dependent territories.

In August 1944 the British delegation arrived at the Dumbarton Oaks meeting on postwar international organisation expecting to discuss elaborate American plans for international accountability regarding dependent peoples. These were not forthcoming due to an American decision made on July 18, 1944, at the insistence of the American Joint Chiefs of Staff:

".... for the overriding military reasons of....avoiding questions directly or indirectly related to the subject of postwar territorial settlements, the decision was made to omit the section on international trusteeship from the Proposals and to remove this subject from the scope of matters to be raised by the United States in the Dumbarton Oaks Conversations."<sup>105</sup>

At Dumbarton Oaks, however, there were important conversations on the trusteeship issue between leading American officials such as Leo Pasvolksy and Benjamin Gerig, and British ones like Hilton Poynton<sup>106</sup> and Gladwyn Jebb. These conversations along with the American military's opposition to trusteeship are examined in Chapter 6. Suffice for the moment to state that the State Department officials at Dumbarton Oaks hoped their British counterparts would submit proposals on international accountability for dependent peoples which would assist them in their internal dispute with the American military authorities. In effect, the anti-colonialists of the State Department wanted the aid of the British "colonialists" in their disagreements with the American military "annexationists" regarding a strengthened system of international accountability for dependent peoples

under the new United Nations Charter. Politics at all levels and of all varieties can lead to some very strange bed-fellows and alliances!

#### Footnotes

1. Commission to Study the Organisation of Peace, Preliminary Report and Monograph, in International Conciliation, No. 369, April 1941.
2. James Murray, The United Nations Trusteeship System (Illinois, 1957), p. 27.
3. Elliot Roosevelt (ed.), The Roosevelt Letters (London, 1952), Vol. 3, p. 184.
4. Memorandum dated 6 May, 1939 from Sumner Welles to President Roosevelt summarising the latter's views on the Galapagos Islands. US Foreign Relations, 1939, Vol. 5, p. 634.
5. Ibid. p. 462.
6. Ibid. He also suggested including the Cocos Island "for it has no military value to us, but might have military value to a non-American power as a temporary base in war operations".
7. Memorandum to Sumner Welles, 5 August 1939. The Roosevelt Letters, Vol. 3, op. cit., p. 272.
8. Memorandum to Roosevelt, 6 May, 1939. US Foreign Relations, 1939, Vol. 5, p. 633-634.
9. Ibid., p. 634.
10. The New York Times reported on 14 May, 1940, that in Tokyo it was said that the Allied action in the Caribbean might set a precedent to be followed in the Pacific.
11. A good summary of American reactions to this and other possible interventions in the Western Hemisphere at this time, is contained in William L. Langer and S. Everett Gleason, The Challenge to Isolation: The World Crisis of 1937-1945 and American Foreign Policy, Vol. 2 (New York, 1952), Chapter XVIII, "Defense of the Hemisphere", pp. 607-637.

12. For fuller details see W. H. Shepherdson and W. O. Scroggs, The United States in World Affairs, 1940 (New York, 1941), p. 121 onwards.
13. US Foreign Relations, 1940, Vol. 2, p. 494; telegram dated 17 June 1940.
14. The Roosevelt Letters, Vol. 3, op. cit., p. 314.
15. US Foreign Relations, 1940, Vol. 5, p. 218. Article II of the US Draft Convention for the Habana Conference on the European Colonies, dated 11 July 1940.
16. Ibid., p. 494.
17. The Memoirs of Cordell Hull (New York, 1948), p. 823.
18. Ruth Russell and Jeannette Muther, A History of the United Nations Charter (Washington DC, 1958), p. 26. Texts of the Resolution and the Convention are contained in U.S. Department of State, Second Meeting of the Ministers of Foreign Affairs of the American Republics, Habana, July 21-30 1940: Report of the Secretary of State, Publication 1575 (1941), pp. 75-77, 84-90.
19. The Special Subcommittee came under the Political Subcommittee of the Advisory Committee on Postwar Foreign Policy. President Roosevelt had set up the latter after Pearl Harbour. It was chaired by the Secretary of State and composed of "members drawn from private life, the Congress, the Department of State and other Departments and Agencies of government and was assisted by a specially constituted research staff". See Harley Notter (ed.), Postwar Foreign Policy Preparation, (Washington, 1949) p. 3. For details of the functions of the Special Subcommittee, Ibid., pp. 108-114.
20. Another member of the Subcommittee was Isaiah Bowman, one of Woodrow Wilson's advisors at the Paris Peace Conference which created the League of Nations. Its minutes on trusteeship are contained in the 'Notter Files' (Postwar Planning) of the State Department, Boxes 63-6 and 117-8. They have been ably summarised by Wm. Roger Louis, Imperialism at Bay (London, 1977), pp. 183-186. Another useful summary is in A History of the United Nations Charter, pp. 84-5. The

Subcommittee's basic proposals were also reproduced in 1944, by Sumner Welles in his The Time for Decision (London, 1944), pp. 383-84.

21. William Roger Louis points out that "Sumner Welles firmly rejected all proposals" to place territory in the Americas under international supervision and "viewed all of the Americas as almost a sole United States responsibility". He also underlines that nobody in the State Department appears to have recognised that the British would regard these arrangements "as an example of American self-righteousness, if not hypocrisy". Instead the view was that the European colonial powers needed moral improvement. See Imperialism at Bay, op. cit., pp. 184-5.
22. It was decided, however, that Libya and Korea should be administered directly.
23. See Postwar Foreign Policy Preparation, op. cit., pp. 110-112.
24. The Memoirs of Cordell Hull, op. cit., p. 1638.
25. Louise Holborn, War and Peace Aims of the United Nations (Boston, 1943), Vol. I, p. 211.
26. The Memoirs of Cordell Hull, op. cit., pp. 1484-5.
27. Ibid. p. 1599.
28. Ibid.
29. Ibid.
30. A History of the United Nations Charter, op. cit., p. 86.
31. The Draft Declaration is reproduced in Foreign Relations of the US, 1943, Vol. 1, pp. 747-9. It was circulated by Cordell Hull as an unofficial paper at the Moscow meeting of Foreign Ministers in October 1943.
32. See "Memorandum for the President"; Hull's blueprint submitted to the President entitled "Declaration by the United Nations on National Independence", reproduced in Postwar Foreign Policy Preparation, 1939-1945, op. cit., pp. 470-72. The British Embassy in Washington was given a copy on March 9, 1943. The unfavourable British reaction to the American declaration is discussed by J. Williams in "The Joint Declaration on the

Colonies: an issue in Anglo-American relations, 1942-44", British Journal of International Studies, October 1976, pp. 267-292.

33. "The Draft Constitution on International Organisation" of July 1943 is reproduced in Appendix 13 of Postwar Foreign Policy Preparation, op. cit., pp. 472-483.
34. Ibid., pp. 526-32 for a reproduction of the Staff Charter.
35. A History of the United Nations, op. cit., p. 335.
36. See Article 4 of the Staff Charter.
37. Russell and Muther accept that the omission of any reference to independence might have been due to British influence, but infer that the primary reason was that "as most of the trusts would be in the category of Class B or C mandates, it was thought that they would not be ready for independence within a short period and that the undertakings of the trust system would provide the necessary preparation for eventual self-government". They proceed to maintain that "self-government or independence remained the American objective as shown in a grant of authority to the Council to modify or terminate the trust arrangements for any territory". Ibid.
38. Russell and Muther state that Article 11 "was deliberately entitled 'Territorial Administration' to avoid either 'mandate' or 'trusteeship' terminology, partly because it included this.... general undertaking as well as the system for administration of dependent areas under supervision of the Organisation; but also in part for the somewhat pedantic reason that the other two terms were considered to carry over from domestic law and were therefore undesirable in this international context. As might have been expected, the trusteeship idea was too firmly lodged by this time to be replaced on such grounds, and the new phraseology did not survive this stage." Ibid., p. 335, n. 10.
39. The outline plan is reproduced in Postwar Foreign Policy Preparation, op. cit., pp. 576-81.
40. Ibid., pp. 169-173 for further details of the organisation and functions of the Informal Political Agenda Group. It became the "International Organisation Group" in June 1944.

41. The Group's eventual proposals for the Dumbarton Oaks Conference, entitled "Arrangements for Territorial Trusteeships" of July 1944, are reproduced in Postwar Foreign Policy Preparation, op. cit., pp. 606-7.
42. Russell and Muther point out that the Agenda Group had in mind "the various international conventions relating especially to African dependencies and similar agreements developed under League auspices and intended for universal application". A History of the United Nations Charter, op. cit., p. 338, n. 13.
43. The United States and Great Britain agreed to establish a joint Commission for the Caribbean in March 1942 as part of the Lend-Lease negotiations and the granting of 99-year lease bases to the Americans in the British West Indies. It was the first functioning regional commission and had only an advisory capacity in such fields as education and welfare. In August 1943, a Caribbean Research Council was established for considering long-range problems, and in January 1944 the British and American governments announced their decision to inaugurate a "regular system of West Indian Conferences" under the auspices of the Caribbean Commission. These Conferences would discuss matters of "mutual social and economic significance", and while having an advisory capacity only, were designed to embrace "consultation with local representatives - not necessarily officials - of the territories and colonies concerned".
44. For details of the Stettinius mission see Thomas M. Campbell and George C. Herring (eds.), The Diaries of Edward R. Stettinius Jr, 1943-1946 (New York, 1975). For the British record of Dr. Bowman's conversations, see Colonial Office 323/1877/9057B.
45. The Informal Political Agenda Group's regional commission plan is summarised and commented upon in A History of the United Nations Charter, op. cit., pp. 339-40.
46. Professor Fred Northedge, among others, is almost certainly correct in the surmise that "Perhaps the most that could be said about sovereignty within the mandates system was that the exact position was never precisely defined". See F. S. Northedge, The League of Nations : Its Life and Times, 1920-1945 (Leicester University Press, 1988), pp. 197-198.

47. The Postwar Programmes Committee was established in January 1944 to assist the Secretary of State "in formulating postwar policies and in making the appropriate international arrangements for their execution". Its Chairman was Cordell Hull with Under Secretary Stettinius acting as Vice Chairman. It had a professional secretariat with initiatory as well as executive duties. Its Executive Director was Leo Pasvolksy who was vested with "full authority under the Secretary [of State] to organise the Committee's work and to call upon the assistance as may be required in carrying out the Committee's responsibilities". Isaiah Bowman of the Informal Political Agenda Group was also a member of the Committee. For further details of the Committee, see Postwar Foreign Policy Preparation, especially pp. 208-213.
48. Ibid., p. 607.
49. A History of the United Nations, op. cit., pp. 343-348.
50. Foreign Relations of the United States : the Conferences at Malta and Yalta, 1945, p. 107.
51. A History of the United Nations Charter, op. cit., p. 345.
52. For an examination of President Roosevelt's determination not to repeat the mistakes Woodrow Wilson made over the League of Nations, see E. R. May, 'Lessons' of the Past: The Use and Misuse of History in American Foreign Policy (New York, 1973), Chapter One.
53. The Roosevelt Letters, Vol. 3, op. cit., p. 447.
54. A History of the United Nations Charter, op. cit., p. 96.
55. This is discussed by Foster Rhea Dulles and Gerald Ridinger in "The Anti-Colonial Policies of Franklin D. Roosevelt", Political Science Quarterly, Vol. LXX, No. 1, March 1955, pp. 1-18.
56. Frank Freidel, Franklin D. Roosevelt: The Ordeal (Boston, 1954), p. 137.
57. Foreign Affairs, July 1928, pp. 573-86.
58. Samuel I. Rosenman, The Public Papers and Addresses of Franklin D. Roosevelt (New York, 1950), Volume X, p. 69.

59. Elliot Roosevelt, As He Saw It (New York, 1946), p. 35. The President made this remark privately at the Atlantic Charter Conference. There have been some criticisms of the general accuracy of Elliot Roosevelt's summaries of his father's views, but the present writer would submit that even if he might be unreliable in some respects, the President's son accurately captured the general tenor of his father's views on the colonial question. The documentary evidence, published and unpublished, and the reminiscences of Second World War leaders and opinion makers would tend to confirm this viewpoint. For a general discussion of this point see "The Anti-Colonial Policies of Franklin D. Roosevelt", Political Science Quarterly, March 1955.
60. As he saw it, op. cit., p. 74. Another private remark; made to Elliot Roosevelt at the Casablanca meeting with Winston Churchill.
61. Winston Churchill, The Second World War. Vol. IV, The Hinge of Fate (London, 1950), pp. 219.
62. Radio Address by the President on November 15, 1942. See The Public Papers and Addresses of Franklin D. Roosevelt, 1942, op. cit., p. 475.
63. "The Anti-Colonial Policies of Franklin D. Roosevelt", op. cit., p. 6.
64. Papers of President Franklin Roosevelt, Hyde Park Library. Quoted in A History of the United Nations Charter, op. cit., pp. 42-43.
65. Ibid., p. 43.
66. For an examination of the evolution of the "Four Policemen" concept, see A History of the United Nations Charter, pp. 43, 96-98, 101, 106, 110, 154-6, 228, 232, 246, 251, 450 and 530. The idea of "strategic trusts" is examined further in Chapters 6 and 7 of this thesis.
67. Robert E. Sherwood, Roosevelt and Hopkins: An Intimate History (New York, 1948), pp. 572-573. See also Foreign Relations of the United States, 1942, Vol. III, pp. 578-81.
68. Roosevelt Papers, M. R., Box 162.

69. Anthony Eden observed that the President did not seem to be making "any similar gestures" of goodwill! See The Eden Memoirs: The Reckoning (London, 1965), p. 374.
70. Anthony Eden to Winston Churchill March 29, 1943. Prime Minister's Office 4/842/9. There are various published memoirs which refer to Anthony Eden's March 1943 visit to Washington: See Anthony Eden, The Reckoning, op. cit., p. 378; Cordell Hull, Memoirs, op. cit., pp. 1595-9; and Robert Sherwood, Roosevelt and Hopkins, op. cit., 715-18.
71. Memoirs of Cordell Hull, op. cit., p. 1305.
72. Foreign Relations of the United States, 1943, Vol. 1, p. 543.
73. Ibid. See also Memoirs of Cordell Hull, op. cit., p. 1305.
74. Ibid.
75. Molotov was non-committal and confined himself to stating that "he felt that the question of dependent peoples should receive further study and that his Government attached great importance to it". See Foreign Relations of the United States, 1943, Vol. I, pp. 628, and 662-670.
76. The first Cairo Conference (Churchill, Roosevelt, and Chiang Kai-shek) ran from 22 to 26 November, 1943; the Teheran Conference (Churchill, Roosevelt, and Stalin) was from 28th November to 1st December; and Roosevelt and Churchill met again at Cairo on 4th December.
77. Foreign Relations of the United States: The Conference at Cairo and Teheran, pp. 485, 509, and 529-533. Admiral William Leahy, President Roosevelt's wartime Chief of Staff and first chairman of the American Joint Chiefs of Staff, states that at the Teheran conference the President was "convinced" that via trusteeship arrangements "his proposed world organisation could exercise the necessary sovereignty over such areas as the mandated Japanese islands". Admiral Leahy maintains that in private conversation with the President, "I had argued vigorously that the United States, for its own security, should keep and exercise sovereignty over any of the Japanese mandated islands that we captured." See William D. Leahy, I Was There (London, 1950), p. 248.

78. Roosevelt and Hopkins, op. cit., p. 792.
79. Foreign Relations of the United States: Conferences at Cairo and Teheran, 1943, op. cit., pp. 532 and 554.
80. Foreign Relations of the United States, 1942, Volume III, pp. 581. President Roosevelt often attributed the trusteeship idea to Chiang Kai-shek. Whether or not this was actually the case, there is little doubt that it was also very much his own favoured solution to colonial problems.
81. As He Saw It op. cit., p. 75.
82. Public Papers and Addresses of Franklin D. Roosevelt (1944-5) op. cit., p. 68.
83. Ibid.
84. As He Saw It, op. cit., p. 165.
85. Foreign Relations of the United States: The Conferences at Cairo and Teheran, 1943, p. 485.
86. As reported by President Roosevelt to Cordell Hull; see Memoirs of Cordell Hull, op. cit., pp. 1597.
87. Public Papers and Addresses of Franklin D. Roosevelt, 1943, op. cit., p. 553-61.
88. Hugh Borton, American Presurrender Planning for Postwar Japan (Columbia University, 1967), p. 12. Professor Borton was actually a member of this particular postwar planning group.
89. Willard Range, Franklin D. Roosevelt's World Order (Georgia, 1959), p. 119. Chapter 8 contains a good examination of the development of the President's anti-colonial ideas.
90. The best account of official British attitudes to the international aspects of the colonial problem compared with American ones during the Second World War, is William Roger Louis's Imperialism at Bay. This section and Chapter 6 draw on Professor Louis's work.
91. Memorandum to Oliver Stanley, dated April 11, 1944; Colonial Office 323/1877/90578.
92. The Times, March 6, 1943.

93. Minute dated July 27, 1944; Foreign Office 371/40749.
94. Memoirs of Cordell Hull, op. cit., p. 1237.
95. Ibid., p. 1238.
96. Letter to Richard Law, dated October 12, 1942; Foreign Office 371/3156/24.
97. Minute dated September 10, 1942; Foreign Office 371/31777.
98. Minute dated October 9, 1942; Colonial Office 323/1858.
99. See Hansard, Parliamentary Debates, House of Commons, July 13, 1943, p. 142-144.
100. Minute dated February 4, 1944; Colonial Office 323/1877/9086. This particular minute was specifically concerned with regional cooperation on colonial affairs in the Pacific basin, but also illustrates the general official British view that any regional commission should have very limited powers and responsibilities.
101. For a good illustration of the general regional basis of much of British official planning during the Second World War, see The Memoirs of Lord Gladwyn, (London, 1972), Chapters 8, 9 and 10. The colonial issue as such is mentioned a few times only in passing, but the general British preference for international collaboration on a regional basis, especially in so far as Europe was concerned, is a continuing theme.
102. Gladwyn Jebb's minute dated April 12, 1944; Foreign Office 40749.
103. State Department, International Organisation Minutes 54, May 12, 1944, Postwar Planning, "Notter Files", Box 142.
104. Memorandum of April 24, 1944; Colonial Office 323/1877/9057B.
105. Postwar Foreign Policy Preparation, 1939-1945, op. cit., pp. 295-6. The Dumbarton Oaks Proposals for the Establishment of a General International Organisation of October 1944 are outlined in ibid., pp. 611-619. They contain no reference to

international trusteeship. The projected Chapter IX on Arrangements for Territorial Trusteeship of July 1944, prepared by the State Department and its advisory committees found no place in the Dumbarton Oaks Conference agenda. For details of this proposed Chapter see *ibid.*, pp. 606-7. The Chinese delegation did put forward a proposal to create a "International Territorial Trusteeship Commission" which was never discussed. See Colonial Office 968/157/14511/A.

106. Sir Hilton Poynton was then head of the Defence and General Department in the Colonial Office. He represented the Colonial Office at both the Dumbarton Oaks and San Francisco Conferences, and after the war took part in the work of the Trusteeship Council and became Permanent Under Secretary at the Colonial Office.

## Chapter 6: Conflict and Resolution : Annexation or Trusteeship

The American military disliked the concept of international trusteeship.<sup>1</sup> President Roosevelt wished to internationalise the Japanese mandated islands, but the military favoured their annexation and also American control of island bases belonging to the European colonial powers. For example, in April 1943, the General Board of the Navy maintained that in the interests of national security, the United States should acquire Pacific islands belonging to her wartime allies.

"(a) The transfer to the United States by Britain or the British Dominions of the sovereignty of British Samoa, British Line Islands, Ellice Islands, Gilbert Islands, British Phoenix Islands and the Union Islands.

(b) The transfer to the United States by France of the sovereignty of the Marquesas, Society, and Tubuai Islands, the Tuamotu Archipelago, and the New Caledonia Colony which includes the New Caledonia group, the Loyalty Group, and the Wallis Islands."<sup>2</sup>

Indeed, the need to accommodate the military's desire for unrestricted control of the Japanese mandated islands in large measure underlay the modifications in the State Department's more sweeping blueprints for international accountability for dependent peoples in the postwar world. Even the limited trusteeship formula proposed by the Informal Political Agenda Group in the summer of 1944, was disliked by the military, although it had been devised with their views (as well as British ones) in mind.

The analysis in this chapter begins with a section on the roots and impact of the military's opposition to trusteeship and wish to annex the Japanese mandated islands. This is followed by a section on the continuing Anglo-American trusteeship dialogue. These two sections provide the necessary background for section 3 which investigates the attempts to resolve the internal American debate on trusteeship or annexation regarding the Japanese mandated

islands and the impact this had on the American proposals for dependent territories immediately prior to the opening of the San Francisco Conference in April 1945. The chapter concludes with a summary of those proposals.

#### 1. Military Objections to Trusteeship

The American military establishment believed that the United States should obtain sovereign powers over all bases deemed essential to American security. Admiral William Leahy, for example, "always felt that any bases considered essential for the security of our own country should be under the sovereignty of the United States". He did not like President Roosevelt's "plan for a series of strategic bases all over the world to be controlled by the United Nations":

"His argument, particularly in regard to strategic areas in the Japanese mandated group which we had captured at a great cost in American lives, was that the United States did not wish to acquire any territorial gains as a result of the war. That was a fixed principle with him. Roosevelt believed that we would get the same protection if the mandated territory was under the United Nations. I thought he was wrong then and have not changed my mind."<sup>3</sup>

The roots of American military thinking on this question lay at least as far back as the strategic concepts explored by Admiral Alfred Mahan at the turn of the twentieth century which were examined in Chapter 2. The essential idea was that island bases near to the homeland should be secured in case they fell into the hands of an actual or potential enemy. Conversely, island bases near to the territory of enemies could be used to concentrate forces and for retaliation. Thus, Japan could and eventually did use her Pacific islands mandate to attack Hawaii, the Philippines and other American overseas possessions. Therefore, an essential prerequisite of United States security was that these islands should be firmly under American control. As was pointed out in Chapter 4, however, the United States had entered the First World War too late to obtain control of the German

island colonies in the Pacific. At the Paris Peace Conference, the importance to American security of these islands played a large part in President Wilson's successful efforts to have the no-fortification rule written into Article 22 of the League Covenant. Thanks largely to American pressure, Article 4 of the treaty mandating the Carolines, Marianas, and Marshalls to Japan stated:

"The military training of the natives, otherwise than for purposes of internal police and the local defense of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established, or fortifications erected in the territory."<sup>4</sup>

Again, largely due to American pressure, the Washington Disarmament Conference of 1921/22<sup>5</sup> also made arrangements to limit Japan's military use of the islands:

- "1. A ten-year non-aggression treaty in regard to the islands in the Pacific....
2. A five-power (United States, Japan, British Empire, France, and Italy) agreement to maintain the status quo with regard to fortification and naval bases until 31 December 1936.
3. A Japanese-American treaty by which the United States agreed to the mandate, obtained for itself the same rights as a member of the League, and full privileges in regard to the use of Yap for cable and radio installations. Japan also assured the 'usual comity' to American nationals and vessels visiting the islands."<sup>6</sup>

Despite these theoretical limitations on Japanese military use of the Pacific islands mandate, during the Second World War it was widely believed in the United States that Japan had fortified and used them as indispensable bases for her military adventures from the 1930s onwards. In fact, the American "Army's Pearl Harbour Board linked this disaster of December 7, 1941, directly to [the United States] failure to have a showdown with Japan on her fortification of the Mandated islands".<sup>7</sup> Indeed, as early as 1921, a top secret Marine Corps planning document predicted hostilities between Japan and the United States in which the mandated islands would play key strategic roles:

"Japan would initiate a war against the United States. Japan's objectives in launching an attack would be Hawaii, Wake, Midway, Guam, and the Philippines. It was dangerous to give Japan control over the mandate islands. The United States counter-attack plan, after the Japanese initial strike, called for seizure of key islands in the Marshall and Caroline Islands. These objectives would be necessary to provide the Fleet with bases from which to launch a counter-attack against the Philippines. The eventual advance on the Japanese homeland would have to be made via the Marianas and Bonin Islands."<sup>8</sup>

There is some doubt, however, as to whether Japan did fortify her Pacific islands mandate and the extent to which they were used as strategic platforms for launching her aggressive Far Eastern policies. Although Secretary of State Charles Evans Hughes strove to limit Japan's scope for using the islands for military purposes in the Washington naval treaties, "Dorothy Borg, an authority on American policy in the Pacific in the interwar years, reports in her writings that throughout the 1920s the State Department made no more than 'half-hearted' efforts to get permission for the United States Navy to send ships into the islands for visits. The Japanese paid little attention and took no action to these requests."<sup>9</sup> This position continued throughout the 1930s as is shown by Cordell Hull's evidence to the Senate Committee on Naval Affairs in 1939:

"Secretary Hull admitted....that the Japanese authorities had denied every request (four in number) that the (State Department).... had made for....visiting harbours and waters of the mandated islands....he asked the committee to keep this information secret. Under hush-hush precautions, the State Department replied to another query....the United States has at no time raised any question....in regard to the obligations of Japan to the United States with respect to the Japanese mandated islands."<sup>10</sup>

Withdrawal from League membership in 1935<sup>11</sup> brought no change in Japan's legal rights regarding her Pacific islands mandate:

"There was much unofficial discussion of Japan's right to continue as a Mandatory Power, but no member of the League raised the question officially. Japan's annual reports continued to arrive in Geneva for a few years more; but in 1938 she ceased to collaborate with the League. Significantly, the final report submitted (late in 1939)

failed to contain the usual paragraph to the effect that Japan had not constructed fortifications or bases in the islands."<sup>12</sup>

Colonel <sup>Paul</sup> Haigwood points out that as well as "the publications and press coverage of the suspicions of the Mandates Commission, the United States Government was itself receiving information through its representatives in Japan that the Japanese might be fortifying Yap, Saipan and Palau".<sup>13</sup> The potential dangers were noted as early as March 1933 by the American Ambassador in Tokyo, Joseph Grew:

"There was abundant first hand evidence that Japan was engaging in military preparations on the mandated islands and that the whole problem of fortifications on the islands was full of potential dynamite and might yet cause as much trouble as Manchuria."<sup>14</sup>

After examining the contemporary and other evidence, including the responsible Japanese military and naval leaders concerned, however, Colonel Haigwood concludes that "it seems conclusive that the Japanese did not fortify the Pacific mandated islands in the classic, dictionary sense of building large and permanent strongholds in violation of the League of Nations Mandates and the status quo provisions of the Washington Naval Conference":

"Prior to the commencement of World War II in Europe, evidence indicates that they did not build concrete gun emplacements, hardened command and control centres, and other construction associated with 'fortification'. Additionally, no organized military units were permanently stationed in the mandated islands during the period in question.

On the other hand, there appears to have been considerable cooperation between the commercial construction programmes of the Nanyo Corporation and the requirements of the Japanese military forces. These facilities provided the basic structure for naval bases, fuel facilities, repair shops and airports which were easily converted to military use when the requirement was generated in the late 1930s. Additionally, the many surveys made by the Japanese Navy and its air arm during the 1920s and 1930s made it possible for the military to launch almost immediately into required fortifications and building programmes when the war was about to start."<sup>15</sup>

Once the United States entered the Second World War, the American military were determined to obtain unfettered control over the mandated islands. Their view was that under Japanese rule the islands had become "permanent air craft carriers". They subscribed to the opinion summarised by Willard Price in the Spring 1944 edition of the Yale Review:

"It is now painfully clear that no power can hope to hold the Philippines and Guam unless it holds also the enveloping archipelago of Micronesia. Any strong nation with bases in the Carolines which approach to within 500 miles of the Philippines, or the Marianas of which the nearest to Guam is less than fifty miles distant, can take both of these objectives within the first few weeks of war."<sup>16</sup>

The islands were conquered at great cost in American men and resources,<sup>17</sup> and by the end of the war, in American eyes at least, "Micronesia had emotional values aside from those of victory. It was the collective Louisbourg, the multiple Heligoland of the 1940's - the enemy's fortress."<sup>18</sup> It was widely held within the American military establishment that Japan could not be permanently crushed. In the words of Captain H. Pence, a naval liaison officer working with the State Department:

"The Japanese would be our enemies for the next hundred years. If any strength is left to them they will seek revenge. The United States must make its position so secure that such a cataclysm shall never arise again. A string of bases was absolutely necessary for our security."<sup>19</sup>

The military opposed international obligations which, even if only in theory, limited their freedom of action with regard to Micronesia. As early as June 1943, Captain Pence left his State Department colleagues in no doubt regarding the military's desire for American sovereignty over the islands:

"He personally believed that the security of the United States lay in the acquisition of absolute sovereignty over the mandated islands. Control over the mandated islands was closely connected with control over the Pacific Islands in general. The Pacific was 'our lake'; the United States should control a string of islands from Clipperton by way of the Marquesas to the Far East."<sup>20</sup>

The American military rejected even the tenuous international supervision which the League had exercised over the Japanese mandate. They were even more vehement in opposing supervision by an international body possessing inspection rights; they demanded "absolute base rights and administrative control". There was one-unnegotiable maxim; Micronesia was to be under national, not international mandate.<sup>21</sup> Their primary objective was American annexation in the interests of national security. Frank Knox, then Secretary of the Navy, in March 1944, told the House Foreign Affairs Committee that his personal opinion was that "those mandated islands have become Japanese territory and as we capture them they are ours".<sup>22</sup>

The American military also opposed the Japanese mandated islands and other strategic areas being used as bases for an international police force on the grounds of impracticality. Vice-Admiral Russell Willson of the Joint Chiefs Strategic Survey Committee underlined this opposition to Leo Pasvolsky and his State Department colleagues in March 1944:

"He said that an international police force was altogether visionary as a practical proposition. Modern warfare was, in his opinion, so complex in operation that the genius of the best brains was tried even to handle national arrangements effectively. He said he could not visualize the possibility of taking people loyal to a number of different nations and welding them into an effective military organisation. He considered the idea of a permanent international force absolutely visionary."<sup>23</sup>

On July 4, 1944 the Joint Chiefs of Staff specifically requested President Roosevelt for an assurance that the United States would retain sovereign control over the islands. At roughly the same time, James Forrestal, the new Secretary of the Navy, informed Edward Stettinius that "it seems to me a sine qua non of any postwar arrangements that there should be no debate as to who ran the Mandated Islands".<sup>24</sup> In replying to the Joint Chiefs of Staff on

July 10, 1944, President Roosevelt stated that he was working on a scheme to reconcile American interests with trusteeship:

"we have agreed that we are seeking no additional territory as a result of this war.

I am working on the idea that the United Nations will ask the United States to act, as Trustee for the Japanese Mandated Islands. With this will go....the military authority to protect them, i.e., fortifications, etc. It does not necessarily involve a decision on permanent sovereignty."<sup>25</sup>

The Joint Chiefs of Staff, however, continued to prefer to have the trusteeship issue kept in abeyance until the Roosevelt Administration made a definite commitment for the United States to retain unfettered control of the mandated islands. As pointed out at the end of Chapter 5, the Joint Chiefs of Staff along with the Secretaries for the Navy and War, James Forrestal and Henry Stimson, successfully insisted on the omission of Section IX on "Arrangements for Territorial Trusteeships" from the "Tentative Proposals for a General International Organisation" which the United States submitted to the Dumbarton Oaks meetings. Although not agreeing with the American military, their viewpoint was ably summarised by Cordell Hull:

"The Joint Chiefs felt that a discussion of the trusteeship system would inevitably embrace concrete questions of who should be trustee over what territories, and that dissension might therefore arise among the major Allies.

Furthermore, they were anxious to keep the whole matter open pending a determination within our own Government of a definite policy with regard to the subsequent disposal of some of the Japanese islands in the Pacific, including those held by Japan under mandate. It was their view that complete control of these islands by the United States for military purposes was necessary to our national security, and they felt that this could perhaps best be achieved through outright annexation rather than through a trusteeship system."<sup>26</sup>

Moreover, there was considerable sentiment in the United States generally and in Congress particularly favouring annexation. For example, in April 1945, Representative James Wadsworth asserted that the United States must retain unfettered control of the "Japanese mandated islands

recovered by our blood and treasure".<sup>27</sup> Like Franklin Roosevelt, the American military and their supporters tended to equate American security with world security. However, whereas the President believed this could be achieved within the context of the security aspects of international trusteeship which would also be in the best interests of the dependent people concerned, the military believed in protecting the United States through self-reliance which, so far as the Japanese mandated islands were concerned, meant annexation. The wishes and interests of the dependent peoples involved were either overlooked, considered irrelevant, or seen as best served by being placed under American sovereignty.

Members of the American military establishment were also aware of British opposition to trusteeship. Admiral Leathy, for example, accompanied President Roosevelt to the Teheran and Yalta Conferences, and witnessed with approval Winston Churchill's trenchant distaste for all attempts, via trusteeship or any other device, to interfere in the affairs of the British Empire.<sup>28</sup> However, Oliver Stanley and his Colonial Office officials were unaware of the American military's viewpoint; when visiting Washington they met State Department personnel and had little if any contact with the American military.

## 2. The Continuing Anglo-American Dialogue

The British delegates to the Dumbarton Oaks meetings on postwar international organisation were extremely surprised when the Americans omitted all reference to international trusteeship in their formal proposals and the tentative conference agenda. Largely at American behest, and one with which the British were only too willing to concur, trusteeship was not formally discussed at Dumbarton Oaks. Consequently, the blueprint for a postwar United Nations Organisation set forth in the Dumbarton Oaks "Proposals for the Establishment of a General International Organisation",

contained no reference to international trusteeship.<sup>29</sup>

When they arrived at Dumbarton Oaks, the British delegates were unaware of the extent of the differences within the Roosevelt Administration over the trusteeship question. They would have welcomed American annexation of the Japanese islands mandate, especially as such a move would enhance Great Britain's own efforts to preserve her colonial domains; a policy calculation of which the Americans were very much aware. As was intimated in Chapter 5, this had been underlined as far back as March 1943 in Anthony Eden's Washington conversations with President Roosevelt, Cordell Hull, and Harry Hopkins.

There is evidence to suggest that prior to the Dumbarton Oaks meetings, the Foreign Office did have some inkling that the State Department's trusteeship schemes were being subject to review because of the American military's desire to annex the Japanese mandated islands. J. E. Williams maintains that in the course of the Stettinius Mission to London in April 1944, the "impression" was given "that this was the real cause of the change in American policy" away from the State Department's earlier "more idealistic schemes involving trusteeship and dependent peoples". The problem confronting the Roosevelt Administration was how to justify seizing the mandated islands and avoid the charge of imperialism? "The only solution Washington believed, was to create a world organisation that appeared to have supervisory powers over all colonies including the Marshall and Caroline Islands."<sup>30</sup> Gladwyn Jebb records Isaiah Bowman as stating that "there was a particular reason which weighed heavily" with Franklin Roosevelt and Cordell Hull:

"It was essential in their view that the United States should by one means or another control the Japanese islands in the Pacific. On the one hand, they could not annex these outright without violating the Atlantic Charter and other statements regarding 'aggrandisement'. Consequently they would be bound to camouflage their action by some arrangement under which the United States would be acting at the instance and in the interests of the United Nations. It would in their view be far more easy to arrive at such

an arrangement if some previous arrangement had been previously come to providing for an increase of United Nations 'interest' in all colonial areas."<sup>31</sup>

Undoubtedly, if the British had been fully conversant with the magnitude of the differences between the American military and the State Department over trusteeship, then they would have endeavoured to exploit the situation to attempt to sink the notion of international accountability for dependent peoples once and for all. It is therefore somewhat paradoxical that in informal talks during the Dumbarton Oaks meetings, Leo Pasvolsky and his colleagues endeavoured to persuade the British delegates to develop the notion of international trusteeship so that they, the State Department officials, could use such a British initiative to advantage in their differences with the American Joint Chiefs of Staff and the Navy and War Departments. Henry Willard actually told Hilton Poynton that the "War and Navy Departments frankly advocated annexation".<sup>32</sup> Leo Pasvolsky, however, informed Gladwyn Jebb that "some kind of new system would have to be applied to the Italian and Japanese Empires".<sup>33</sup> Indeed, it was clear to the British that American anti-colonial sentiment was such that Great Britain would be unlikely "to secure the abolition of the mandates" system without it "being assimilated to whatever regime is decided for the Italian and Japanese colonies".<sup>34</sup>

Nevertheless, the generally ambiguous and rather conciliatory attitudes of Leo Pasvolsky and the State Department team at the Dumbarton Oaks and related informal meetings, developed a misleading sense of security in the British. In particular, Leo Pasvolsky told Hilton Poynton that he would welcome a British initiative on the colonial question and failed to "raise the question of supervision".<sup>35</sup> As is shown by Lord Halifax's memorandum to Anthony Eden, the British underestimated the amount of work which the State Department had already done on international trusteeship and the almost-finalised nature of its plans:

"On these points vagueness and obscurity of much of what Pasvolsky said appeared to arise largely from the fact that he was evidently groping himself for ideas and phrases; and seemed to indicate that American thinking is still in an embryonic stage where we can do much to influence it."<sup>36</sup>

The Colonial Office decided to respond positively to Leo Pasvolsky's intimation that Washington would welcome a British initiative on the trusteeship. To quote Oliver Stanley; "It was important that we should take the initiative and should not wait for the Americans to make the first move, lest they should put forward schemes which were unsatisfactory from our point of view, but might attract support."<sup>37</sup> Work on the document which eventually became the "International Aspects of Colonial Policy", began in the middle of October and was presented to the British Cabinet on December 16, 1944.<sup>38</sup> Primarily the work of Hilton Poynton and Kenneth Robinson, the document was the most detailed British policy paper on trusteeship developed during the Second World War.<sup>39</sup> It was essentially a synthesised development of earlier official British ideas. Throughout constant themes were the inadequacies of the League mandates system and the desirability of its more useful functions being assumed by new regional bodies. The objective was a modicum of international responsibility for dependent peoples via regional commissions; accountability being secured ~~only~~ via publicity.

The only real element of internationalism in the future government of the League mandates and the Italian colonies was to be via the new regional commissions. The well-being of these and other dependencies was the subject of Part I of "International Aspects of Colonial Policy" which stated that the objective of all good colonial administration was "to promote to the utmost the well-being of colonial peoples within the world community". This could not be best secured by international schemes like the mandates system due to uncertainty regarding the future of the dependencies coming under such schemes. Parts II and III set forth the

document's suggestions regarding international accountability. International collaboration regarding dependent territories would take place via "Regional Commissions"; themselves a continuation of the earlier regional schemes advocated by Oliver Stanley among others. The commissions would be consultative bodies only, dealing with social and economic matters of common interest in particular regions, but not constitutional ones. Membership would come from states with important interests in the region concerned. Sovereignty would not be infringed by international visits of inspection.

One provision to promote international collaboration was for "Functional Agencies". These agencies, like the International Labour Organisation on which they were modelled, were designed to call attention to universal standards relating to "the problems of colonial administration which have a legitimate international interest". Although ruling out infringements of national sovereignty, the standards promoted by these functional agencies were considered applicable to the Red Indian tribes of North American as well as to the various peoples under British rule in the Indian sub-continent. A related proposal, outlined in "Measures to Ensure Publicity in Colonial Administration", was establishing an "International Colonial Centre". The papers to be kept in this new-style international colonial library would be available for public inspection, but the Centre itself would not have any powers involving policy initiatives; even in the field of research into colonial problems.

The "International Aspects of Colonial Policy" was approved by the War Cabinet on December 20, 1944, and became official governmental policy. Somewhat surprisingly, Winston Churchill made no objection to the "International Aspects of Colonial Policy" document when it was discussed by the War Cabinet.<sup>40</sup> The Prime Minister, however, still had considerable misgivings. Thus, regarding Oliver Stanley's

visit to Washington in January 1945, clear limits were set on discussions of colonial problems with Leo Pasvolsky and his colleagues:

- "(1). to secure international agreement to the termination of the Mandate System and avoid its extension to enemy territories conquered in the present war and,
- (2). to allow foreign powers a means of expressing their reasonable and legitimate interest in colonial territories without affecting our sovereignty and executive authority, or entitling them to meddle in constitutional questions, or establishing international bodies possessing powers of interference divorced from responsibility."<sup>41</sup>

During his visit, Oliver Stanley stated publicly that Great Britain believed that so far as her dependencies were concerned, the desirable goal was self-government within the British Empire rather than independence as such.<sup>42</sup> The most important aspect of his visit so far as international accountability was concerned, were discussions with Leo Pasvolsky, Charles Taussig, and Benjamin Gerig on January 18, 1945.<sup>43</sup> Although paying tribute to the work of the Permanent Mandates Commission, especially in publicising colonial problems, the Colonial Secretary maintained that the mandates system should be replaced by regional commissions. He accepted the notion of reporting to the new United Nations organisation via these commissions, and even countenanced the former having the power to frame the questionnaire on which the reports were to be based. Participation in the regional commissions and the submission of reports, however, would be a "voluntary" act by the colonial metropolises. He opposed "inspections" on the grounds that they "would weaken the position of the administering authorities in the eyes of native peoples and could only create confusion", and believed that "the petitioning by natives over the heads of the administering authorities was not helpful or practicable". Oliver Stanley was unable to accept Leo Pasvolsky's distinction between colonies on the one hand, and mandates and detached Axis territories on the other. He argued that with regard to the British crown colony of the Gold Coast and

the Togoland mandate, for example, "there was no point in preserving a distinction which had no practical meaning". The British view was that sovereignty over mandated territories rested with the respective administering powers, but the Americans held that it rested with the Allied and Associated Powers who had signed the peace treaties at the end of the First World War. Oliver Stanley left Washington with little doubt that the American State Department was committed to at least preserving the principles of the mandates system.<sup>44</sup>

The Yalta Conference. However, Oliver Stanley told Anthony Eden that in his opinion the United States would not press trusteeship issues at the forthcoming Yalta Conference between Winston Churchill, Franklin Roosevelt, and Joseph Stalin. The latter so advised Winston Churchill:

"if the President should revert to this question during the forthcoming conference (and only of course if he does) you might very suitably say that we hope very shortly to present to his Government a well-considered plan for international collaboration in these problems. You might add that you would greatly hope that the Americans for their part would not circulate any papers on this subject until they had carefully studied our proposals."<sup>45</sup>

Winston Churchill was thereby encouraged to attend the Yalta Conference with a false sense of security so far as the trusteeship question was concerned. The British complacency is demonstrated by the fact that there was no Colonial Office representative in the British delegation. The Foreign Office team accompanying Winston Churchill,<sup>46</sup> whilst also concerned with preserving the integrity of the British Empire, attached more importance than did the Colonial Office to both preserving good Anglo-American relations generally and establishing the future United Nations. Notwithstanding the objections of his military advisers, however, President Roosevelt himself still desired "that the principle of international trusteeship be firmly established and that the

international organisation should provide adequate machinery for that purpose":

"He said that the Army and Navy have been urging upon him the point of view that the United States should take over all or some of the mandated islands in the Pacific, but that he was opposed to such a procedure because it was contrary to the Atlantic Charter."<sup>47</sup>

Indeed, immediately prior to the Yalta Conference, Franklin Roosevelt maintained "that we are going to be able to bring pressure on the British to fall in line with our thinking in relation to the whole colonial question".<sup>48</sup> The State Department, moreover, contrary to British expectations, intended to try to obtain some agreement on the trusteeship question at the Yalta Conference. There had been considerable disquiet among American officials at Oliver Stanley's suggestion during his Washington visit that "other colonial powers" take part in the discussions on trusteeship as well as the Big Four. They interpreted this as "designed" to offset the anticipated Chinese and Russian support for the American desire to extend the principle of international accountability, by winning "support" from the European colonial powers. The Americans also felt considerable disquiet when Oliver Stanley made it "clear" that he wanted "to eliminate" the distinction between "trust territories and all other territories"; a procedure they "would regard as retrogressive".<sup>49</sup>

At Yalta, the State Department officials intended to forestall British attempts to place mandated territories under more limited arrangements. Due to the American military's reservations, there was no reference to specific territories, but the Briefing Book the delegation took to the Conference contained detailed trusteeship proposals. It was considered "of utmost importance.... to get an agreement on the principle of trusteeship".<sup>50</sup> A three part approach to the problem of dependent territories was proposed:

"a. Creation of trusteeship mechanism by which the International Organisation would assume direct responsibility for the administration of certain dependent

territories, in order to promote the social, economic, and political advancement of the peoples of trust territories and to enable these territories to contribute to international peace and security;

b. Establishment of regional advisory commissions for dependent territories generally, on the model of the Anglo-American Caribbean Commission, which would include the States administering dependencies in the particular region and other states having major strategic or economic interests therein; and

c. Adoption of a general declaration of principles designed to establish minimum political, economic, and social Standards for all non-self-governing territories, whether colonies, protectorates or trust territories."<sup>51</sup>

The Americans realised that the "British probably will propose regional advisory commissions as the sole device for expressing international responsibility with respect to dependent territories". With the sentiments recently expressed by Oliver Stanley in mind, the Americans surmised that the British view will be that regional commissions "could be employed to discharge, through consultation, a limited international accountability for the administration of dependent territories". The Americans believed, however, that while "desirable", these commissions should be only "one part of an over-all international system".<sup>52</sup> In actual fact, primarily because of Winston Churchill's "outburst" on trusteeship at the Yalta Conference, neither the American regional scheme nor the general declaration of principles were raised at the Yalta Conference.

At the Malta meeting immediately prior to the Yalta Conference, Alger Hiss and James Byrnes informed Anthony Eden and Sir Alexander Cadogan that the United States wanted an agreement on the trusteeship "formula", but this overture was not passed on to either Winston Churchill or the Colonial Office.<sup>53</sup> Alger Hiss next raised the trusteeship question with Gladwyn Jebb at the outset of the Yalta Conference on February 4, 1945:

"He said that the American Administration were firmly of the opinion that to assimilate the existing mandates to existing territorial empires - even if this was part and parcel of some larger deal for the Colonies as a whole - would be a 'retrograde step'. He further argued that for

such areas as the Japanese mandated islands and, notably, Korea, it would almost certainly be necessary to set up some kind of new machinery as a result of this war and that the British idea of having one State solely responsible for every dependent area could not therefore in practice work."<sup>54</sup>

Alger Hiss then proposed a formula which stated that the Americans, British, and Russians were "agreed that there should be considered at the [forthcoming] United Nations Conference the subject of Territorial Trusteeships and Dependent Areas and that provision should be made in the [United Nations] Charter covering these points". Gladwyn Jebb realised that if Great Britain accepted this "formula it would be evident that we shall come near to committing ourselves to the principle of mandates both existing and possible, which we particularly want to avoid". Accordingly, he played for time and informed the Americans that the Colonial Office was drafting a set of proposals for Anglo-American discussion, and that if the Big Three agreed now on the principle of trusteeship, then "the French would immediately conclude that the whole World Organisation scheme was some kind of plot designed to deprive them of their colonial possessions".<sup>55</sup> Anthony Eden was not unduly alarmed as he had had a hint "from Harry Hopkins that the President himself may not press this too hard". He therefore suggested to Winston Churchill that "we wait to see what proposal [the President] makes, if any":

"the Americans have raised with us the question of 'Territorial Trusteeship'.... their idea was that agreement should be included in the Charter of the World Organisation.... I expressed my doubts about this as it might commit us to a continuation if not an extension of the Mandates system.... They have now suggested that we should here agree to include in the records of this Conference an (unpublished) Protocol to the effect that this question 'should be considered at the United Nations Conference'. I am against this."<sup>56</sup>

The British delegation, however, misjudged both the persistence of the State Department officials and Franklin Roosevelt's own personal commitment regarding trusteeship as

was shown when the question was raised in the Big Three discussions on February 9.<sup>57</sup> The Americans also underestimated Winston Churchill's strength of feeling on the issue. On the morning of that day, on an American initiative, the three foreign ministers agreed that prior to the planned conference on the proposed United Nations, the envisaged five permanent members of the Security Council (China, France, Great Britain, the United States and the USSR) should hold discussions among themselves on "machinery in the World Charter for dealing with territorial trusteeship and dependent areas".<sup>58</sup> As underlined in Chapter 2, when the issue came before the Big Three, Winston Churchill "exploded":<sup>59</sup>

"I absolutely disagree. I will not have one scrap of British territory flung into that area. After we have done our best to fight in this war and have done no crime to anyone I will have no suggestion that the British Empire is to be put into the dock and examined by everyone to see whether it is up to their standard. No one will induce me as long as I am Prime Minister to let any representative of Great Britain go to a conference where we will be placed in the dock and asked to justify our right to live in a world we have tried to save."<sup>60</sup>

In a very fraught atmosphere, Edward Stettinius explained that the reference to creating trusteeship "machinery was not intended to refer to the British Empire":

"it had in mind particularly dependent areas which would be taken out of enemy control, for example, the Japanese islands in the Pacific. He said that it was felt that provision had to be made for machinery to handle the question of trusteeship for dependent areas taken from the enemy and he repeated that this was not intended to refer to the British Empire."<sup>61</sup>

Winston Churchill appeared to accept the Secretary of State's explanation and stated that "if it is a question of solely dealing with enemy territory acquired during the war, it might be proper to put them into some form of trusteeship under the United Nations".<sup>62</sup> After a brief intermission, the British accepted a trusteeship formula based on the three categories formulated by the State Department:

"The acceptance of this recommendation is subject to its being made clear that territorial trusteeship will only apply to (a) existing mandates of the League of Nations; (b) territories detached from the enemy as a result of the present war, (c) any other territory which might voluntarily be placed under trusteeship; and (d) no discussion of actual territories is contemplated at the forthcoming United Nations Conference or in the preliminary consultation, and it will be a matter for subsequent agreement which territories within the above categories will be placed under trusteeship."<sup>63</sup>

Because of the continuing differences between the American military and the State Department (discussed in section 3), the "preliminary" five power conversations on trusteeship agreed upon at Yalta, were delayed. In fact, for all practical purposes, they were conducted concurrently with the broader issues on international organisation at the San Francisco Conference itself. From the British standpoint, unwittingly, they had accepted the principle of international trusteeship. Winston Churchill had apparently not considered the American formula too closely; his hesitations and suspicions being modified by Edward Stettinius's specific assurance that it did not apply to the British Empire. In the interest of the wider and more important issue of continuing Anglo-American cooperation, moreover, neither Anthony Eden nor Alexander Cadogan publicly objected to this American trusteeship formula. Whether innocently or deliberately, the superior diplomatic expertise (or tricks!) of the Americans, had committed Great Britain to incorporating the League mandates into a new United Nations trusteeship system.<sup>64</sup>

The Foreign Office was now confronted with the awkward task of reassuring the Colonial Office that nothing really significant had been conceded at Yalta. In particular, the Colonial Office wanted to know if Great Britain could still raise the fundamental issue of abolishing the League mandates system. The various explanations were somewhat disingenuous, and would have been interpreted by the Americans as not in accordance with the agreed Yalta formula. For example,

Anthony Eden argued "that a great deal depended on what the Americans meant by the words "Territorial Trusteeship" and maintained that it was still open to Great Britain "to argue the case for the abolition of the Mandate System".<sup>65</sup>

British Policy Reconsidered. Although not present at Yalta, Oliver Stanley was in little doubt that Great Britain "could hardly argue that [she] did not know what territorial trusteeship meant":

"if we did, it would be open to the Americans to inquire why in that case we had signed the Yalta Protocol. He was inclined to think that the Americans meant by territorial trusteeship something on the lines of the old Mandate system, but modified to make supervision more strict."<sup>66</sup>

Oliver Stanley had misjudged the American intention to press the trusteeship issue at Yalta, but his Washington visit had convinced him that the United States had given considerable thought to the whole question. He noted that "the reception was most disappointing" when he had referred to the Colonial Office scheme to replace the mandates system with regional arrangements. Oliver Stanley wanted to avoid a situation whereby Great Britain had to withdraw the programme outlined in the "International Aspects of Colonial Policy" during the forthcoming San Francisco Conference. To do so, "would mean throwing the whole Colonial Empire open to discussion by this motley assembly, a procedure which I should regard as hazardous in the extreme".<sup>67</sup>

His appreciation of the American position, combined with Australian and New Zealand opposition to abolishing the mandates system<sup>68</sup> and the international legal difficulties involved in doing so, led Oliver Stanley to undertake a reorientation of British policy regarding trusteeship. Thus, while still preferring the arrangements outlined in the "International Aspects of Colonial Policy" document as the better solution to the international aspects of the colonial problem, he accepted the need for a new global system based on the mandates model. He remained opposed, however, to

extending the principle of international accountability beyond that set out in Article 22 of the League Covenant. The Colonial Office's new proposals were approved by the War Cabinet on April 3, 1945, and formed the British draft chapter on "Territorial Trusteeship" submitted to the San Francisco Conference.<sup>69</sup>

The draft chapter's most striking feature was the omission of the regional schemes upon which so much official care and time had been devoted. The new proposals were based on a more restrictive League mandates system; the terminology closely following that of Article 22 of the League Covenant. The first paragraph set out general principles for administering all dependent territories.<sup>70</sup> There was no provision for international machinery to ensure that these principles were applied to all dependent territories; this was provided only for the categories designated by the Yalta formula. Economic and social advancement generally were emphasised. No reference was made to "independence" as the goal of trusteeship, although "self-government" was an objective where appropriate. The provisions in Article 22 of the Covenant on the "open door" were omitted as the British believed that dependencies should control their own economic development. While recognising that "questions of security policy are also bound to arise", overall "the well-being of the inhabitants" was to be "the major objective of the trusteeship system".<sup>71</sup>

Regarding the types of dependency to be placed under "Territorial Trusteeship", the British draft chapter repeated the Yalta formula of three categories. In the case of the third category of dependencies "voluntarily" placed under trusteeship, there was some apprehension in the Colonial Office lest the Americans create a dangerous precedent by putting all their overseas dependencies under trusteeship. Oliver Stanley maintained that Great Britain would "be continually under pressure from some elements in the United States to take advantage of this proposal to bring the whole

of our Colonial administration under international review".<sup>72</sup> Australia and New Zealand had also stressed that the French and Portuguese dependencies presently occupied by Japan might be placed under the trusteeship via the "voluntary" third category. In actual fact the British fears proved ill-founded as no states, including the anti-colonial United States, took advantage of the "voluntary" clause to place their dependencies under trusteeship.

The British envisaged individual not collective trusteeships; the details of particular agreements being "matters for subsequent agreement between the State entrusted with the administration of the territory and the United Nations". It was emphasised that, "No revision of existing League of Nations Mandates exercised by States Members of the United Nations shall be made without the agreement of the Mandatory Power concerned".<sup>73</sup> The no-fortification and no-military-training provisions of Article 22 of the Covenant were believed to be out of date. Instead, the British proposed that it "should be the duty" of individual administering states "to ensure" that territories under trusteeship played their "part in the maintenance of international peace and security".<sup>74</sup>

International accountability would be limited. With regard to security matters, the appropriate body would be the Security Council (where Great Britain would have a veto according to the three-Power Yalta Agreement), not the General Assembly. Administering states would be required to "furnish to the Security Council such information" respecting their trust territories as the "Council on the advice of the Military Staff Committee may require, as regards any forces facilities, or assistance" which it might employ from the territories when discharging its "obligations in respect of international peace and security under this Charter".<sup>75</sup>

International accountability was confined to the administering powers rendering "annual reports to the Economic and Social Council on the economic and social

advancement of the inhabitants and the civil administration" of the trust territory. The role of the League's Permanent Mandates Commission would be undertaken by a "permanent commission" which would "prescribe the form of the annual reports". It would receive and examine the reports, and apart from security matters, "advise the Economic and Social Council on all matters relating to the observance of the terms of trusteeship".<sup>76</sup> The commission would be a subordinate body coming "under" the Economic and Social Council.<sup>77</sup> Finally, the British deliberately excluded <sup>both petitions and</sup> any rights to inspect the trust territories by either the new-style commission or the Economic and Social Council.

Overall, the most surprising aspect of the proposals was not their conservative nature, but the complete absence of references to regionalism so far as dependent peoples were concerned. So much time and effort had been spent on regional-type plans that the actual proposals presented to the San Francisco Conference can only be described as a negation of earlier British ideas. The change in direction of British policy can almost wholly be ascribed to pressure from the State Department. Indeed, insofar as anti-colonial sentiment underlay the American pressure, then a direct correlation may be deduced between American anti-colonialism and changes in British policy. Unfortunately, we will never know what the position might have been if Great Britain, particularly Oliver Stanley and the Colonial Office, had been more fully aware of the extent of the American military establishment's opposition to the State Department's plans!

There were no more Anglo-American discussions on trusteeship until after the San Francisco Conference began.<sup>78</sup> The Americans did send out invitations for Big Five consultations on trusteeship at a technical level prior to the San Francisco Conference as agreed at the Yalta meeting. In fact, a major reason for the Colonial Office's speed in reformulating its trusteeship plans was that these consultations were due to begin during the second week of

April ("around" April 8). Although by the beginning of April, China, France and Great Britain had agreed to send representatives, the meeting was delayed because of continuing disagreements within the Roosevelt Administration over the nature and scope of the American trusteeship proposals.<sup>79</sup> In London, however, numerous rumours (well and ill founded) abounded regarding the radical scope of the proposals the Americans were formulating.<sup>80</sup>

### 3. Towards an American Consensus

There was no real attempt until the end of 1944 to break the internal deadlock over trusteeship within the Roosevelt Administration caused by the virtual "veto" which the Joint Chiefs of Staff had cast on the State Department's proposals for the Dumbarton Oaks meetings. After those meetings, an ad hoc State Department group reconsidered the whole matter; its membership included Leo Pasvolksy, Harley Notter, Benjamin Gerig, and Ralph Bunche. Senior State Department officials also began "a number of informal conversations with Admiral Russell Willson of the Joint Chiefs of Staff".<sup>81</sup> In November 1944, President Roosevelt approved Edward Stettinius' suggestion for an "Interdepartmental Committee on Dependent Areas", but this Committee did not begin reconsidering the State Department's trusteeship proposals until February 2, 1945; thus, it had no influence on the Yalta trusteeship deliberations. The Committee was chaired by Leo Pasvolksy, and its membership included Isaiah Bowman and Nelson Rockefeller for the State Department, Generals Embick and Fairchild for the War Department and Air Corps respectively, Admiral Russell for the Navy Department, and Abe Fortas for the Interior Department. Among the experts attending the Committee's meetings were Benjamin Gerig and Charles Taussig, the United States Commissioner on the Anglo-American Caribbean Commission who was also a confidant of President Roosevelt.<sup>82</sup> This last-mentioned fact was particularly important as the key to interdepartmental conflicts generally

in the Roosevelt Administration was often the ability to catch the President's ear. This was the case regarding the State Department's dispute with the War and Navy Departments over the trusteeship question. Notwithstanding his failing health, a measure of President Roosevelt's personal authority was that his decisions were accepted as final. Before examining the work of the Interdepartmental Committee, mention must be made of two important background factors: the impact of the war against Japan's on the trusteeship question; and Henry Stimson's intervention in the debate on the future of Japan's Pacific islands mandate.

The Japanese War and Trusteeship. In <sup>early</sup> 1944, the Japanese war was expected to be long and costly. It had been deliberately subordinated to the war against Germany, but as 1944 drew to a close and Germany's ultimate defeat came into sight, the Japanese war became much more significant. So far as the European colonial powers were concerned, with victory over Germany, they could be expected to take a larger part in the war against Japan. What would be the attitude of the United States to aiding her European allies to re-occupy their Asian and Pacific dependencies? It was at first expected that most of these dependencies would be liberated by American troops after much bloody conflict.<sup>83</sup> Would the United States merely hand back the erstwhile colonies to European rule; a difficult dilemma confronted Washington in the light of American anti-colonial sentiments! At the very least, the Americans would expect to be consulted on future arrangements in southeast Asia and the Pacific.

In these areas, Washington had endeavoured to retain a separate American identity from its European allies in all matters other than military ones. Especially galling to the Americans was the Japanese propaganda practice of linking them with European colonialism and the damage caused to their image among dependent peoples. Senator Arthur Vandenberg noted the testimony of William Phillips,

President Roosevelt's personal ambassador to India, to the Senate's Committee on Foreign Affairs on July 11, 1943:

"Phillips minced no words. India's demands for independence are a major factor in the postwar picture, and Churchill's incorrigible refusal to surrender British dominion, now or later, creates one of the greatest dangers to the Allied cause. Further, India has swung over from an opinion that America was her friend to the view that we are supporting British domination and will continue to do so."<sup>84</sup>

Collaboration between the United States and Great Britain over the whole Near and Far East was fraught with mutual suspicions throughout the war. General Joseph Stilwell's political adviser noted the harm to the American anti-colonial image through cooperating with the British in the South East Asia Command (SEAC):

"In so far as we participate in SEAC operations, we become involved in the politically explosive colonial problems of the British, Dutch and possibly French. In so doing, we compromise ourselves not only with the colonial peoples of Asia, but also with the free peoples of Asia, including the Chinese. Domestically, our Government lays itself open to public criticism - 'why should American boys die to recreate the colonial empires of the British and her Dutch and French satellites?' Finally, more Anglo-American misunderstanding and friction is likely to arise out of our participation in SEAC than out of any other theatre."<sup>85</sup>

In fact, Cordell Hull observed that the United States "declined" to permit American civil affairs officers to serve under Lord Mountbatten in SEAC because "we wished to dissociate ourselves from British colonial policy as much as we could".<sup>86</sup> The American military wanted to concentrate on the direct attack on the Japanese homeland and not become involved in removing the Japanese from the European colonies. Thus at the meeting of the Anglo-American Combined Chiefs of Staff during the Malta Conference in February 1945, it was made clear to Lord Mountbatten that when his troops began the liberation of Malaya, American forces would not be available as they would be needed in future operations against Japan. Indeed, following the Yalta Conference, United States commanders in the Pacific theatre were informed

of American "plans for turning over to the British responsibility for operations in the Netherlands East Indies and New Guinea".<sup>87</sup>

The fact that American troops would not be directly involved in re-occupying the European colonies, had two immediate consequences so far as the trusteeship question was concerned. The first was that it would now be comparatively easier for the colonial metropolises to reassert control over their Far Eastern dependencies as most of them were now due to be liberated by troops under British command. The second was that if the dependencies were not liberated by American forces, then it would be more difficult for Washington to have a decisive voice in their future disposal. The State Department, however, had consistently maintained that the United States expected to be consulted regarding their future; especially as it believed that "the indefinite continuance of the British, Dutch, and French possessions in the orient in a state of dependence provided a number of foci for future trouble and perhaps war". Cordell Hull proposed a solution to the American dilemma to President Roosevelt in September 1944 which involved "early, dramatic, and concerted announcements" by France, Great Britain and the Netherlands of "definite commitments as to the future of the regions of Southeast Asia" resting on the twin principles of independence and trusteeship:

"It would be especially helpful if such concerted announcements could include (1) specific dates when independence or complete (dominion) self-government will be accorded, (2) specific steps to be taken to develop native capacity for self-rule, and (3) a pledge of economic autonomy and equality of economic treatment toward other nations.

.... The value of such concerted announcements would be still further enhanced if each of the Colonial Powers concerned would pledge a formal declaration of trusteeship under an international organization for the period of tutelage."<sup>88</sup>

While nothing substantial came from these and similar proposals, they do illustrate the American dilemma. The

State Department wished to prod the European metropolises in the direction of independence for their dependent peoples, preferably within the framework of international accountability. The issue was of the greatest importance as it believed that only by actions along the proposed trusteeship lines, could future peace be assured. The requirements of military policy, however, limited the pressure which could be exerted on the European states concerned, who themselves were to say the least reluctant to comply with American wishes on this matter. The American military establishment, moreover, wished to annex the Japanese islands mandate. If this became official United States policy, it could negate all her previous efforts to obtain some kind of international accountability for the European dependencies in South East Asia. It is against this strategic-political background that the inter-departmental dispute between the State Department and the American military over trusteeship must be assessed.

Henry Stimson's intervention into the trusteeship debate.

The State Department's position was not helped by the fact that one of its foremost opponents on the trusteeship issue was Henry Stimson, then Secretary of War. His reputation and experience were unrivalled. A Republican elder statesman who had joined the Roosevelt Administration as a gesture to wartime bipartisanship, he had held the post of Secretary of War before the First World War and been President Hoover's Secretary of State. A patriot, a man of honour with a strong personality, his authority was unmatched on all matters relating to international security. In fact, Henry Stimson was one of the few members of the Roosevelt Administration of sufficient stature to be able to challenge the President's views with some hope of obtaining a decision in his favour. Secretary Stimson did not like the notion of international trusteeship, especially in so far as it was related to American security in the Pacific region. To him, the State

Department's plan that the Japanese islands mandate be held by the United States "only in trusteeship from the United Nations" was "dangerously unrealistic". His own immediate concern "was to protect United States interests in the Pacific islands and he did not believe that any useful purpose was served by classing such islands with colonial areas containing large populations and considerable economic resources".<sup>89</sup> Henry Stimson argued this case in a memorandum to Secretary of State Stettinius, dated January 23, 1945:

"You are proposing to include [the mandated islands] under your future principles of 'trusteeship' or 'mandates'. They do not really belong in such a classification. Acquisition of them by the United States does not represent an attempt at colonization or exploitation. Instead it is merely the acquisition by the United States of the necessary bases for the defense of the security of the Pacific for the future world. To serve such a purpose they must belong to the United States with absolute power to rule and fortify them. They are not colonies; they are outposts, and their acquisition is appropriate under the general doctrine of self-defense by the power which guarantees the safety of that area of the world. .... For that reason you will get into needless mazes if you try to set up a form of trusteeship which will include them before the necessity of their acquisition by the United States is established and recognized. .... They are of an entirely different nature from the German colonies in various parts of the world, quite unessential to the defense of any protecting power, to which was applied the doctrine of mandates under the League of Nations formula."<sup>90</sup>

To Henry Stimson his "proposition seemed beyond debate: World War II had made wholly evident the fact that the United States must be the principal guarantor of the peace of the Pacific".<sup>91</sup> Henry Stimson failed in his immediate objective of specifically exempting the islands from any trusteeship formula agreed to at the Yalta Conference. However, within his exposition of the problem (the value of some islands as strategic bases) lay the seeds of the "strategic trust" formula. As was demonstrated earlier, the idea had been foreshadowed by some of Franklin Roosevelt's own utterances on using some trust territories as bases for the "Four Policemen". The difference was that whereas Secretary

Stimson conceived these island bases in terms of national interest, the President saw them more in international terms. The "strategic trust" formula was developed further in the deliberations of the Interdepartmental Committee on Dependent areas.

The Interdepartmental Committee on Dependent Areas The Committee's work was at first complicated by the fact that some members like Nelson Rockefeller had no previous experience of trusteeship affairs. The Committee began by considering revised State Department proposals designed to take into account the military objectives; leaving unchanged the July 1944 draft's basic structure and objectives. The new proposals followed the Yalta three-fold category of trust territories; emphasising that no territories could be placed under the trusteeship system except by the voluntary act of the colonial metropole concerned.<sup>92</sup> The influence of the British distaste for "independence" is to be seen by the fact that the system's twin objectives were advancing trust territories towards "self-government" and furthering international peace and security. Trust territories could be administered by an individual state or "a specially constituted international mixed commission"; this latter provision reflected President Roosevelt's belief that some territories could be administered by two or more states. The rule of the administering powers would be supervised by a Trusteeship Council working under the broad aegis of the General Assembly. The Trusteeship Council itself would be composed of equal numbers of administering and non-administering powers. Trust territories would be governed by territorial charters adopted concurrently by the General Assembly and the Trusteeship Council. These two bodies were given the concurrent authority to amend the charters, designate or remove administering powers, and end trusteeships under conditions determined by the United

Nations. As was proposed in the July 1944 draft, the United Nations would also possess powers of inspection, investigation, and supervision.

The representatives of the Navy and War Departments had three principal criticisms of the revised proposals. The first was that there were no special provisions for territories considered of strategic importance. The second concerned the rights given to the General Assembly to remove administering powers and end trusteeship status. The military representatives did not want the Assembly to possess any authority which might threaten American control over Japan's islands mandate. The third criticism was related to the clauses providing for common international standards of administration and those giving the United Nations inspection and investigatory powers. Essentially the military did not want the new United Nations interfering in territories considered of strategic importance to the United States: namely, Micronesia.

The Committee's deliberations were wide ranging and at times ill-informed and acrimonious. Admiral Willson took the lead in opposing trusteeship, while Abe Fortas played an important role in attempting to reconcile the differences between the State Department and the military representatives. Admiral Willson maintained that the United States must put its own interests first and have "exclusive control" of Micronesia. The smallness of the islands, both in terms of size and population, was emphasised, and the "church vote" and the "international welfare boys" of the State Department dismissed with derision. The disagreements appeared to be resolved by the Fortas-Willson conception of two types of trust territory; strategic and non-strategic. The former would come under the Security Council's final authority where the United States would have veto powers as a permanent member of that body.<sup>93</sup> The "states concerned", moreover, would have the right before any territory was placed under the trusteeship system to draw up the terms of

each territorial "charter" for approval by the United Nations.<sup>94</sup> Essentially, the military obtained a formula whereby the United States would be able to designate Micronesia as a strategic area and draw up its "charter" for approval by the Security Council where she could veto proposed amendments by other Council members. Her authority in actually administering the territory would again be safeguarded by the American Security Council veto. Great Britain's objections to trusteeship should also be at least partially assuaged by the provision whereby the administering powers not the United Nations would determine the conditions under which dependencies were placed under the trusteeship system.

The Interdepartmental Committee held its final meeting on March 15, and produced an agreed draft entitled "Arrangements for International Trusteeship". The basic objectives of the trusteeship system would be "to further international peace and security", promote "the political economic, and social advancement of the trust territories and their inhabitants and their progressive development toward self-government", and "to provide for non-discriminatory treatment in trust territories for the economic and other appropriate civil activities of the nationals of all member States". The system would apply to the territory categories agreed at the Yalta Conference; and "strategic areas" could be designated "in the interest of security, of certain territories, or parts thereof". The administering authority could "be either a member State or an international mixed commission". Responsibility for the trusteeship system would be "exercised" through "the General Assembly and the Trusteeship Council, each acting by a two-thirds vote of those present and voting, and, with respect to matters concerning strategic areas, also by the Security Council, acting with the concurrence of all of the Permanent members". The Trusteeship Council would be composed of equal numbers of administering and non-administering states; the latter being

"named for three-year periods by the General Assembly".<sup>95</sup>

The Assembly and the two Councils (the Security Council only in the case of strategic areas), acting concurrently were to have the authority:

- "a. to alter the trusteeship arrangements;
- b. to amend the territorial charters within the scope of the respective trusteeship arrangements;
- c. to remove an administering authority for failure to fulfil the territorial charter, and to arrange for the designation of another administering authority;
- d. to determine the conditions which must be met for the attainment of self-governing status; and
- e. to terminate trusteeship over any territory when these conditions have not been met."

The General Assembly's powers included considering the Trusteeship Council's reports and decisions, making recommendations on "the economic, social, and political development of any trust territory", and instituting "investigations into any aspect of the trusteeship system and administration, subject, in the case of strategic areas, to such provisions in the respective trusteeship arrangements as may be required for security purposes". The Trusteeship Council was empowered to advise administering authorities, call for reports from them, receive petitions, and conduct periodic inspections in the territories, "subject, in the case of strategic areas, to such provisions in the respective trusteeship arrangements as may be required for security purposes".<sup>96</sup>

The Direct Intervention of the Secretaries for War and the Navy State Department approved the new proposals on March 20. They were also submitted to the Secretaries of the Interior, War, and the Navy, and the Joint Chiefs of Staff for clearance. The Interior Secretary, Harold Ickes, took the view that the United States should be "the administering power for the Japanese mandated Islands", but not insist upon "complete sovereignty" because "this would give an opening for the British" to claim "absolute title areas in the Middle East" which would injure "American security interests as well

as commercial interests involved in the United States great stake in Middle Eastern Oil".<sup>97</sup>

The Secretaries for War and the Navy, Henry Stimson and James Forrestal, however, were still not satisfied that American security interests were satisfactorily safeguarded so far as Micronesia was concerned. They had little knowledge of the State Department's earlier detailed trusteeship plans. Indeed, Henry Stimson subsequently stated that "he knew nothing of the Yalta agreement on trusteeship until the results were made public".<sup>98</sup> The two Secretaries were aware, however, of the President's view that the Pacific islands should be held securely by the United States, but under a trusteeship agreement.<sup>99</sup> Nevertheless, they continued to take the view that trusteeship arrangements would not be sufficient to protect American interests adequately. At a meeting between them on March 30, Henry Stimson "expressed great concern over the trend of thinking as regards the trusteeship discussion at San Francisco":

"He said he was fearful.... that we might be tempted into making quixotic gestures the net result of which might be that we would surrender the hardly won islands which we had taken in the Pacific to the principle of trusteeship, whereas the British, Dutch and French would not."<sup>100</sup>

The matter was discussed by the Secretaries of State, War and the Navy on April 2. Henry Stimson and James Forrestal apparently persuaded Edward Stettinius that "they should try to get postponement of the whole subject of trusteeship at the San Francisco Conference and that they should also draft a public statement, to be made either by the President or the Secretary of State", to the effect that the United States intended to keep Micronesia, but "only for the continued insurance of peace and equity and liberty for all nations and peoples adjacent to the Pacific".<sup>101</sup> Edward Stettinius was apparently then wholly in agreement with this course of action. When they met again on April 9, however, he "balked" and said "that he did not propose to associate himself with the document", but "to let the document go as a

statement by War and Navy, informing the President that he reserved judgement". Edward Stettinius further stated that "while his private views accorded with" those of his War and Navy colleagues, "he was under orders to the contrary".<sup>102</sup>

There are various interpretations of this cryptic remark by Edward Stettinius. Ruth Russell and Jeannette Muther infer that "if Forrestal recorded Stettinius' words literally", then it "clearly referred to a presidential authorization" as "there are not, after all, many people from whom the Secretary of State takes 'orders'".<sup>103</sup> Another explanation, however, is that he was under pressure from his Department to retract his agreement. This explanation is borne out by the discussions which Hayden Raynor and Benjamin Gerig from the State Department had with colleagues from the War and Navy Departments on April 7. At this meeting it was first revealed to the War and Navy Departments that Edward Stettinius had changed his mind.<sup>104</sup> Edward Stettinius himself records that he informed James Forrestal on April 9 of "my enforced position - a position taken by the [State] Department without full consultation with me - on the U.S. policy for trusteeships". On April 12, moreover, he records telephoning "particularly to ask if he would explain to Colonel Stimson that I was disassociated from the State Department memorandum on Trusteeships, and Forrestal promised to pass on to the Colonel the information that I was out of town when our [the State Department's] memorandum was prepared".<sup>105</sup> Edward Stettinius' leadership qualities are outside the purview of this study. It is sufficient merely to state that it would have been very difficult for him to resist the pressure which his nominal subordinates were able to bring to bear. Their weapons were impressive; a long-established and tested bureaucratic file, the Yalta Agreements on trusteeship (to which Stettinius himself had been a party), and President Roosevelt's well-known preference for trusteeship arrangements for the Japanese Pacific islands mandate.

Benjamin Gerig noted the remaining differences between the State and the War and Navy Departments over the compromise trusteeships plan:

- "1. That the trusteeship arrangement should be negotiated by the Security Council instead of the General Assembly; and
2. That a policy statement should be made when the plan is presented, so that the public would clearly understand that strategic rights, especially with respect to the Pacific areas, are fully safeguarded and that the trusteeship principle in these areas is applied in form but not in substance. They believe that candour in this respect is necessary and desirable."<sup>106</sup>

Edward Stettinius enlarged on the remaining differences in his memorandum to President Roosevelt of April 9, 1945:

"The Secretaries of War and Navy are stating their position separately. As we understand their view, it is that this Government should retain complete control over certain strategic areas in the Pacific and that we should make this known unequivocally to other nations and to the world before participating in any discussions....

The Department of State agrees....that any plan must provide for our retaining such strategic positions, as of right, in the Pacific, as you and your military advisers deem necessary. It believes that this is provided for in the draft plan....within the system of international trusteeship.... The Department of State believes further, that if we do not include these areas with adequate safeguards, within the trusteeship system we shall prejudice all possibility of international trusteeship, and that it would appear to large sections of the public to violate our expressed statements against annexation as a result of the war."<sup>107</sup>

In other words, the State Department still advocated protecting American interests via international trusteeship arrangements; albeit that so far as Micronesia was concerned, the international aspects were more a matter of form rather than substance. This stance was determined by a number of diverse factors; the weight of State Department bureaucratic preference, various American' commitments such as the Atlantic Charter Declaration, Anglo-American relations, possible future instability in colonies, and the general ethos of American anti-colonialism.

The War and Navy Departments paid lip-service to international obligations, but placed the emphasis on safeguarding American interests via the United States' own efforts. They wished to annex Micronesia within a thin guise of international sentiment. Franklin Roosevelt agreed to discuss the trusteeship differences with the Secretaries of State, War, and the Navy on April 19. He also telegraphed Edward Stettinius that "your message on International Trusteeship is approved in principle".<sup>108</sup> The Secretary of State "interpreted" this "as meaning that the trusteeship question should be discussed at San Francisco."<sup>109</sup>

The President's views on the trusteeship question at this time are demonstrated by a discussion he had with Charles Taussig on March 15, 1945:

"I....told the President that the military had indicated that they would interpret strategic areas as an entire area - for instance, all of the Japanese islands, north of the Equator, that might come under the administration of the United States. I told him that under their interpretation, the entire group of islands irrespective of whether they were fortified or not would be exempt from substantially all of the international agreements pertaining to civilian populations; that the military had been unwilling to agree to divide strategic areas into two categories - closed areas and open areas.

The President said that he would favour these two categories and that the open areas should be subject to international agreements. He said that if the military wanted, at a later date due to change in strategy, to make all or part of the open area a closed area, it should be provided that this could be done with the approval of the Security Council."<sup>110</sup>

Further clarification of the President's views on Micronesia's future is given by his comments at a Cabinet meeting on March 9, 1945. He "said that his idea, which he had advanced to Stalin and Churchill [at the Yalta Conference] was based on a concept of 'multiple sovereignty' - sovereignty rested in all the United Nations". So far as the Pacific islands were concerned, the United States "would

be requested by them to exercise complete trusteeship for the purpose of world security".<sup>111</sup>

President Roosevelt continued to place great emphasis on preserving American security and had no hesitation in advocating retention of control over any necessary overseas bases, especially in the Caribbean and Pacific regions. This determination is demonstrated by his remark to Charles Taussig during their conversation of March 15 regarding the United States' Caribbean bases; "we must keep the bases active and leave no room for doubt that we are there to stay".<sup>112</sup> The President's wish to safeguard American security via trusteeship arrangements for Micronesia was dictated by his belief that these would assist the dependent peoples to independence and thereby prevent the international conflict which otherwise might arise because of their resentment at continued colonial bondage:

"He said that there are 1,100,000,000 brown people. In many Eastern Countries, they are ruled by a handful of whites and they resent it. Our goal must be to help them achieve independence - 1,100,000,000 potential enemies are dangerous. He said he included the 450,000,000 Chinese in that."<sup>113</sup>

President Roosevelt continued to believe until his death that if the United States annexed Micronesia, the European colonial powers might not be willing to adopt more liberal policies so far as colonial independence was concerned. The United States must set a good example. He intimated to Charles Taussig "that it might provide a useful trading point" at the forthcoming San Francisco Conference if the United States, "at an auspicious time", volunteered to have its "own territories report" to the United Nations, "and also to respond to requests from the Organization for specific information".<sup>114</sup> He was aware of the problems inherent in persuading the European colonial powers to place territories under trusteeship:

"French Indo-China and New Caledonia should be taken from France and put under a trusteeship. The President hesitated a moment and then said - well if we can get the proper pledge from France to assume for herself the

obligations of a trustee, then I would agree to France retaining these colonies with the proviso that independence was the ultimate goal."<sup>115</sup>

In answer to a question at a press conference on April 5, moreover, as to whether the United States "will be the controlling government" in the Pacific island mandates, the President replied, "I would say the United Nations. Or it might be called - the world."<sup>116</sup> Thus, it may be confidently surmised that although ill, tired, beset with numerous vexed problems, until the very end of his life, Franklin Roosevelt retained his faith in the virtues of a trusteeship system under the auspices of the new United Nations. While continuing to equate American with world security, and more aware perhaps of the vexed problems pertaining to trusteeship than in the earlier days of the Second World War, he still preferred it to continued colonialism without international accountability. To the President, the nominal authority of the United Nations so far as the Japanese mandated islands was concerned, was a worthwhile price to pay!

Interdepartmental Agreement. Tragically, Franklin Roosevelt died on April 12, and was succeeded by Harry Truman. Edward Stettinius announced on April 13 that President Truman had authorised him to say that there would be no change of purpose or break of continuity in American foreign policy. Among the problems confronting him, the new President had to decide whether trusteeship should be discussed at the San Francisco Conference. In a memorandum dated April 13, Leo Pasvolsky summarised the three options:

- "A. To have no discussion at the Conference itself but rather to postpone the consideration of the whole matter to some future date.
- B. To include in the [United Nations] Charter a provision that, after its creation, the organization would undertake to set up a trusteeship system.
- C. To include in the Charter the substance of the material contained in.... [the interdepartmental] paper; thus setting up the machinery of trusteeships, stating the

objectives of the system, defining the powers and basic procedures in this respect of the various organs of the Organization."<sup>117</sup>

It was decided to place the problem before the American delegation to the San Francisco Conference, and invite the Secretaries of the Navy and War to be present at a delegation meeting on April 17. At the meeting, Edward Stettinius outlined the dilemma confronting the State Department:

"on the diplomatic side.... we would be in a weak position if we cannot deal with the question in some way at the San Francisco Conference. The Department.... is in complete agreement with the Army and Navy with respect to the necessity for full protection of our security interests, but the Department also appreciates the difficulty in which this country would find itself if it should lay itself open to the charge of expansionist ambition by pursuing a policy of annexation. An annexation policy would be contrary to the policy consistently followed by the late President Roosevelt."<sup>118</sup>

For his part Henry Stimson underlined "that under no circumstances should anything be done which would prevent the United States from presenting a united front at San Francisco". He then proceeded to elaborate on his earlier arguments that the Japanese islands mandate were not exploitable "territories with substantial economic resources and significant populations" and as such suitable for trusteeship: "some of them have almost no population and almost no resources, and many of them are mere atolls in the Pacific". The military wanted them as strategic bases to protect the region from future aggression; "the United States must be affirmatively provided with full power over necessary protective bases".<sup>119</sup> Senator Vandenberg summarised the delegation's perception of the problem:

"The Army and Navy are insistent that we must keep full control of most of the Pacific bases taken from the Japs.... Secretary of War Stimson.... said he didn't care so much about the 'title' to these Islands if we have absolute, undisputed control over our base needs.... But the State Department is right in insisting that this must be accomplished without setting a precedent for all the other Big Powers to take what they claim they need for their defense.... Stassen and Dr. Bowman.... insisted that while we must follow War and Navy advice, we must also make

it plain that we seek no right of social or economic exploitation in respect to any of these peoples."<sup>120</sup>

The discussion illustrated the American continuing dilemma and, in effect, delusion within the United States regarding colonial and trusteeship problems. In the American view, the Pacific islands which the United States needed were somehow different to those belonging to or desired by the European colonial powers; their small size, tiny populations, lack of economic resources and "unselfish" American motives were all quoted in support of the supposed differences. Senator Tom Connally raised "the possibility of American bases on New Caledonia". Representative Eaton "observed that while the United States would not seek annexation, it would undertake it if it became necessary". Commander Stassen "stated that it should be the policy of this Government that any bases which are essential to the security of the world and to our own security would be held in trusteeship, and that we would define the terms of the trusteeship". Dr. Isaiah Bowman pointed out that the United States had "been led into a situation in which the world expects us to do something on trusteeship. We are faced with such questions as whether we wish Somaliland to go to the British". Few if any other members of the American delegation appeared to recognise that, in principle, there was no intrinsic difference between Great Britain annexing Italian Somaliland and the United States doing so regarding Micronesia. Somewhat idiosyncratically, John Foster Dulles favoured the United Nations having "the authority to look into the condition of colonial peoples", and maintained that this was "not inconsistent with the right of military defenses" claimed by the American military authorities: "He could see no conflict in this respect."<sup>121</sup>

On April 18, the delegation approved a formula previously agreed by the three Secretaries, whereby the War and Navy Departments accepted the principle of trusteeship and discussion of its "possible machinery" at San Francisco.

Henry Stimson had taken the lead in this endeavour, spurred on in large part by the need to preserve national unity in the aftermath of Franklin Roosevelt's death and at least to mitigate the vexed problems confronting Harry Truman in his new presidential duties. President Truman approved the compromise on the same day as its acceptance by the American delegation.<sup>122</sup>

The delegation discussed the trusteeship issue again on April 23 and 26, and approved the new draft trusteeship system worked out by the State, War and Navy Departments.<sup>123</sup> The State Department's requirements were satisfied by accepting that a trusteeship system should be established along the lines of the Yalta formula and without any public American declaration of reserved rights in Micronesia. The War and Navy Departments' objectives were satisfied by the provision that "all functions of the [United Nations] Organisation relating to strategic areas including the approval of the trusteeship arrangements and their alteration or amendment, should be exercised by the Security Council".<sup>124</sup> President Truman underlined the essentials of the compromise:

"I sustained the Army and Navy chiefs on the major issue of the security of the bases. But I also saw the validity of the ideal for which the State Department was contending - that the United Nations should not be barred from local territories beyond the bases, if at any time the United Nations should want to look into the social and economic conditions on these islands."<sup>125</sup>

Overall, the American debate on trusteeship exhibited a high degree of agreement on the need to protect American interests in Micronesia. Henry Stimson high-lighted the differences between the State Department and the War and Navy Departments; "a curious aspect of the debate within the Government was that American interests in the islands under discussion must be protected". President Roosevelt was "just as keen as anybody else to take the full power of arming them and using them to protect the peace and ourselves during any war that may come, and for that reason his people at San

Francisco will be trying to form a definition of trusteeship or mandate which will permit that to be done". The problem with this approach as Henry Stimson perceived it, "was that it camouflaged the realities of the situation":

"The State Department proposals were meticulously building up a world organisation which was to be the trustee and we were proposing that we should turn over these bases to this trustee and then take back the management of them and try to make the powers of management big enough to give us the power which we now hold from our efforts in the war."

To Henry Stimson, this procedure seemed "pointlessly roundabout". He preferred "to state plainly that the defense of strategic islands was essential to the United States and a definite advantage to all Pacific powers"; the United States would "have met with no objection to retaining enough bases to secure our position in the Pacific".<sup>126</sup>

The point so far as Franklin Roosevelt and the State Department were concerned, however, was that the colonial powers would also use this as a precedent to secure their own positions in their overseas dependencies. As Arthur Krock argued in The New York Times, if the State Department had given way to the military, this would have resulted in "reservations of other territory by other nations until the non-aggrandizement plan of the Atlantic Charter would become a mockery".<sup>127</sup> This eventuality, especially regarding south east Asia and the Pacific, was viewed as a sure receipt for future disaster due to the efforts of the peoples concerned to rid themselves of colonial rule. The previous analysis of British dislike of trusteeship in this thesis, tends to validate the State Department's premise that without American encouragement and positive example, there would be no United Nations trusteeship system. The almost all-pervasive, influence of the American anti-colonial tradition is aptly demonstrated by President Truman's justification of the decision to hold to the Pacific islands under trusteeship:

"My attitude was always that while it was necessary for us to control certain islands in the Pacific until peace was established, these territories should not be closed to the rest of the world.... I intended to try to get as near to

self-government as we could wherever we had the responsibility.... I had always been opposed to colonialism. Whatever justification may be cited at any stage, colonialism in any form is hateful to Americans. America fought her own war of liberation against colonialism, and we shall always regard with sympathy and understanding the desire of people everywhere to be free of colonial bondage."<sup>128</sup>

4. The Trusteeship Proposals brought by the United States to the San Francisco Conference

A note attached to the additional chapter on "Arrangements of International Trusteeship" proposed by the United States for inclusion in the United Nations Charter underlined that it dealt "with principles and mechanism only and makes no assumption about the inclusion of any specific territory".<sup>129</sup> There was no reference in the American proposals to either regional arrangements for dependent territories or general principles for the conduct of good colonial administration. The omissions were surprising in view of all the earlier American work on these topics. In planning for the Dumbarton Oaks meeting, the State Department had prepared a paper on regional collaboration, but only in case this approach was raised by Great Britain. Similarly, the American Briefing Book on "Dependent Territories" for the Yalta Conference had a section on "Regional Advisory Commissions for Dependent Areas" which was not discussed. The reduced importance placed on regional collaboration was primarily due to two inter-related factors. The first was Cordell Hull's general belief (referred to in Chapter 5) that the new United Nations organisation should encourage global rather than regional cooperation in all its spheres of interest. The main advocate of regional cooperation in the colonial sphere had been Sumner Welles who had resigned as Under Secretary of State in September 1943. The second factor was the State Department's desire not to deviate unduly from the centralised precepts of the League mandates system.

A draft declaration on the principles which should govern colonial administration had also been part of the Briefing Book for the Yalta Conference. The Interdepartmental Committee did consider a two-part chapter on trusteeship; the first being on the principles to govern administration, and the second on the trusteeship system properly speaking. This was rejected in favour of a separate trusteeship proposal with a separate declaration lying outside the main Charter provisions. The Interdepartmental Committee had expected to reconsider this matter, but in the event did not do so.

Thus the only proposals the United States took to the San Francisco Conference regarding dependent territories were those set out in the "Arrangements for International Trusteeships". The objects of the system were the same as the previous proposals considered by the Interdepartmental Committee; furthering "international peace and security", promoting "the political, economic and social advancement of the trust territories and their inhabitants and their progressive development towards self-government", and providing "for non-discriminatory treatment in trust territories with respect to the economic and other appropriate civil activities of the nationals of all member states". This open door provision reflected that aspect of the American anti-colonial tradition which held that the best interests of both the indigenous inhabitants and the international community at large would be served if the commerce of dependent territories were not closed or confined to the nationals of the administering power. Of particular interest with regard to the objects<sup>ive</sup> of the trusteeship system was the provision for "self-government" rather than "independence". Although the official American position was that the differences between "self-governing" and "independence" was merely one of phraseology, this was a substantial retreat from the earlier, more idealistic American pronouncements in favour of independence. This

dilution of the American anti-colonial tradition was brought about by a combination of three factors: realisation that American interests were involved in so far as independence was not envisaged for some of her territories; the recognition that some dependent territories were too small or otherwise unsuited for an independent existence; and finally, the vehement British opposition to the notion of independence. The American position on "independence" or "self-government" is considered further in Chapter 7.

The trusteeship system was to be applicable only to those territories categorised in the Yalta trusteeship formula. Gone forever were the earlier State Department idealistic hopes, in large part under the inspiration of Sumner Welles, that all dependent territories would come under a system of international accountability. This change in American policy was again largely due to the inter-relation of three factors. First, the realisation that to advocate such a system would entail placing some American dependencies under it; a failure to do so would leave the United States open to the charge of hypocrisy. Second, the recognition that it would be unwise to burden the fledgeling United Nations with all the vexed and wide ranging problems associated with colonialism. Some dependencies were suitable for independence, while in others the inhabitants were still believed to be living largely in Stone Age cultures. Some were the size of a sub continent (like India), others only a few square miles (such as many of the Pacific islands). Similarly, some were poor, but others prosperous. The final factor was the consideration that Great Britain and the other European colonial powers would not agree to place their dependencies under such an international trusteeship system. Although the United States could endeavour to persuade her wartime allies, she could not compel their cooperation. Without that cooperation, the envisaged trusteeship system could not succeed.

To satisfy the requirements of the American military authorities and, indeed, Great Britain, the "trusteeship arrangement for each territory to be placed under trusteeship should be agreed by the states directly concerned". Moreover, as a distinct concession to the annexationist ambitions of the War and Navy Departments (and, in fact, a large section of American public and Congressional opinion) regarding the Japanese islands mandate, some trusteeship arrangements would permit "a strategic area or areas which may include part or all of the territory to which the arrangement applies". In fact, "all functions of the organisation relating to strategic areas, including the approval of the trusteeship arrangements and their alteration or amendment, should be exercised by the Security Council". The United States, as a permanent member of the Security Council, would have the right to veto all suggestions she did not agree with. Thus, because of the demands of the American military with regard to the Japanese islands mandate, the trusteeship arrangements for strategic trusts were all but annexationist. The international role, or rather the ability of the international community to advance ideas or schemes with which the United States did not approve, were to say the least emasculated if not purely nominal.

The American perception of the role of the United Nations regarding non-strategic trusts, however, constituted a significant step towards greater international accountability for dependent peoples. The functions of the United Nations would be exercised by the General Assembly assisted by a Trusteeship Council operating under its authority. The Trusteeship Council would be composed of "specially qualified representatives, designated (a) one each by the states administering trust territories; and (b) one each by an equal number of other states named for three-year-periods by the General Assembly". This institutional arrangement represented a significant advance in one respect over the League mandates system. In the latter, final

responsibility was vested in the Council under whose authority the Permanent Mandates Commission acted, but under the new United Nations system, the United States envisaged this resting with the General Assembly in which all members of the organisation were represented. The Latin American and Arab States would almost certainly subject the administering powers to much greater scrutiny and criticism than had been the case regarding the relationship between the European-centred League Council and the mandatory powers. Indeed, the American proposals gave substance to and proved well-founded, Winston Churchill's fear that American trusteeship schemes could result in the British Empire being placed in the anti-colonial dock by such states as Ethiopia, Egypt and Equador.

It was in the teeth given to the General Assembly and Trusteeship Council that the American proposals made the greatest advance in developing the principle of international accountability for dependent peoples. The administering authorities would be required to make annual reports to the General Assembly upon the basis of questionnaires formulated by the Trusteeship Council. The General Assembly and Trusteeship Council were empowered to consider these reports, accept petitions and to institute investigations into conditions in trust territories. This last-named provision was especially important. Investigatory powers had been denied to the Permanent Mandates Commission and subsequently rejected by the British in all their trusteeship schemes. The right to ask questions and to follow up those questions was a very real test of the degree of international accountability. This the United States proposed to give to the new trusteeship system. Despite all the various compromising warts of national self-interest, the ethos of the American anti-colonial tradition meant that the United States was pre-disposed to advocate a system of international rather than national trusteeship.

Finally, the strength of the American anti-colonial tradition played the predominant role in the actual, practical formulation of the principle of international accountability for dependent peoples in the negotiations leading up to the San Francisco Conference, notwithstanding the various complications caused by the United States' own strategic interests. Much of the credit for progress towards ensuring good government for dependent peoples must go to British traditions, deficient and obtuse as they sometimes appear to modern eyes. The British tradition was one of national accountability, however, tinged with a dislike of interference by meddling foreigners. For a variety of reasons, the United States gave an international dimension to the British concept of trusteeship. No so much from their actual plans and own example, but rather from the influence of anti-colonial sentiment on individual American policy-makers; particularly Franklin Roosevelt.

#### Footnotes

1. Throughout this chapter reference is usually made to the American military, although the predominant role regarding the Japanese mandated islands was played by the American Navy; at least on this question, the American Army almost always acquiesced in the Navy's viewpoint. The Japanese mandated islands (the Marshalls, Carolines and the Marianas) are also referred to as Micronesia.
2. Cited in William Roger Louis, Imperialism at Bay (London, 1977), pp. 266-267.
3. William Leathy, I Was There (London, 1950), pp. 368-9.
4. Paul H. Clyde, Japan's Pacific Mandate (New York, 1955), p. 37.
5. The Washington Conference lasted from November 1921 to February 1922.
6. Huntington Gilchrist, "The Japanese Islands: Annexation or Trusteeship?", Foreign Affairs, July 1944, p. 637.

7. Merlo J. Pusey Charles Evans Hughes (New York, 1963), p. 451.
8. As summarised by Lieutenant Colonel P. N. Pierce. See his "The Unsolved Mystery of Peter Ellis", Marine Corps Gazette, February 1962, p. 36. Quoted by Colonel Paul Haigwood in William Roger Louis (ed.), National Security and International Trusteeship in the Pacific (Annapolis, 1972), p. 99. Colonel Haigwood's chapter in that book ("Japan and the Mandates", pp. 97-109), is the definitive account of Japan's military use of her Pacific islands mandate.
9. Quoted by Colonel Haigwood, ibid., pp. 100-101. See also Dorothy Borg, The United States and the Far Eastern Crisis of 1933-1938 (Harvard University Press, 1964), pp. 236-7.
10. Charles Evans Hughes, op. cit., p. 451. Quoted by Colonel Haigwood, op. cit., p. 103.
11. Japan announced her decision to withdraw from the League of Nations on March 27, 1933, which under League rules became operative two years later.
12. Gilchrist, "The Japanese Islands", op. cit., p. 640.
13. Haigwood, op. cit., p. 102.
14. Ibid. See also Joseph C. Grew, Ten Years in Japan (New York, 1944), p. 85.
15. Haigwood, op. cit., p. 108.
16. Willard Price, "The Island Road to Tokyo", Yale Review, Spring 1944.
17. It has been estimated that the capture of the islands and atolls comprising Micronesia in 1944 and 1945, cost the United States over 38,000 men in casualties.
18. Earl S. Pomeroy, Pacific Outpost: American Strategy in Guam and Micronesia (Stanford, 1951), p. XIX.
19. The comments were made in May 1943. Quoted in Imperialism at Bay, op. cit., p. 367. Professor Roger Louis believes that Captain Pence held fairly extreme, but representative views on the Japanese threat. Ibid p. 369.

20. Ibid., p. 368.
21. Ibid., p. 370.
22. Gilchrist, "The Japanese Islands", op. cit., p. 641.
23. State Department, Notter Files on Postwar Planning, International Organisation, Minutes 37, March 1944, Box 142. Quoted in Imperialism at Bay, op. cit., p. 372.
24. Walter Millis (ed.), The Forrestal Diaries (New York, 1951), p. 8.
25. Roosevelt Papers M R Box 167. President Roosevelt's memorandum is partially reproduced in the State Department's Postwar Foreign Policy Preparation, p. 387.
26. Memoirs of Cordell Hull (New York, 1948), pp. 1706-7.
27. The New York Times, April 14, 1945. A Gallup Poll published in May 23, 1944, indicated that some 69% of United States citizens favoured American retention of the Japanese mandated Pacific Islands and also the British and Australian islands which the United States captured from Japan.
28. In particular, see his I Was There, op. cit., pp. 248, 304, 368, and 369. Another relevant point is that many American military leaders were intensely suspicious of all things British, especially the imperial heritage. Admiral King, the American Naval Chief of Staff, for example, can only be described as an Anglophobe. For a good account of various problems marking Anglo-American military cooperation during the Second World War, see Christopher Thorne, Allies of a Kind: The United States, Britain, and the War Against Japan, 1941-1945 (London, 1978).
29. For details of the Dumbarton Oaks blueprint, see Postwar Foreign Policy Preparation, op. cit., pp. 611-619.
30. J. E. Williams, "The Joint Declaration on the Colonies: An issue in Anglo-American relations, 1942-1944", British Journal of International Studies, Vol. 2, No. 3, October 1976, p. 290.
31. Ibid. See also Foreign Office 371/40749, fo.65.

32. Memorandum by Hilton Poynton, dated September 19, 1944; Colonial Office 968/160/14814/11.
33. Gladwyn Jebb memorandum dated October 7, 1944; Colonial Office 968/160/14816/11.
34. Kenneth Robinson's minute dated September 20, 1944, on a Dumbarton Oaks conversation between Hilton Poynton and Benjamin Gerig. See Colonial Office 968/160/14814/11.
35. Colonial Office 968/160/14814/11.
36. Ibid. Cited in Imperialism at Bay, op. cit., p. 391.
37. Statement to the War Cabinet; W M (44), 20 December, 1944, Cabinet Office 65/44.
38. For the final version of the document, see W P (44) 738, 16 Dec. 1944, Cabinet Office 66/59.
39. Kenneth Robinson, then a Principal in the Colonial Office, after the war became one of the most distinguished British academics commentating on colonial affairs. In particular, see his The Dilemmas of Trusteeship: Aspects of British Colonial Policy between the Wars (London 1965).
40. See W M (44) 172 Conclusions, December 20, 1944, CAB87/66. Sir Alexander Cadogan records that the matter was not discussed as fully as it might have been - possibly due to previous long-winded discussions on other matters on the Agenda. See David Dilks (ed.), The Diaries of Sir Alexander Cadogan, 1938-1945 (London, 1971), pp. 688-89.
41. Winston Churchill to Anthony Eden, January 18, 1945; Foreign Office 371/ 50807, and Colonial Office 968/161/14814/11. Pt. I. In fact, Oliver Stanley was already in Washington having just attended the inauguration of a new Jamaican Constitution.
42. Speech to the Foreign Policy Association of New York; see The Times, January 21, 1945.
43. For details of the American understanding of the British views on trusteeship immediately prior to Oliver Stanley's Washington visit, see Leo Pasvolsky's memorandum to the President, dated January 13, 1945; Foreign Relations of the United States, 1945, Volume 1, The United Nations, pp. 18-22.

44. For the British record of these conversations, see Colonial Office 969/161/14814/11. Pt. 1 and Foreign Office 371/50807. For the American record, see State Department, Notter Files on Postwar Planning, Box 273.
45. Anthony Eden to Winston Churchill, January 24, 1945; Foreign Office 371/50807, and Colonial Office 968/161/14814/11. Pt. 1.
46. In particular, Anthony Eden, Sir Alexander Cadogan, and Gladwyn Jebb.
47. Foreign Relations of the United States: The Conferences at Malta and Yalta, Memorandum of a discussion of November 15, 1944, on questions left unsettled at Dumbarton Oaks, p. 57.
48. Elliot Roosevelt, As He Saw It (New York, 1946), p. 224.
49. Foreign Relations of the United States: The Conferences at Malta and Yalta, Memorandum by Leo Pasvolksy to the Secretary of State, dated January 23, 1945, on matters which must be decided at the forthcoming Yalta Conference, p. 83.
50. Ibid.
51. Ibid., p. 84.
52. Ibid.
53. Alger Hiss was then the State Department's Deputy Director of the Office of Special Political Affairs, and James Byrnes was Director of the Office of War Mobilisation; and later one of President Truman's Secretaries of State. For details of the Malta conversations, see Edward Stettinius, Roosevelt and the Russians (London, 1950), p. 236. Throughout the Malta and Yalta conversations, so far as trusteeship was concerned, Alger Hiss was guided by the provisions of the American Conference Briefing Book on this topic. For details of the Briefing Books' provisions on dependent territories, see Foreign Relations of the United States: The Malta and Yalta Conferences, p. 92-93.
54. Gladwyn Jebb memorandum of February 4, 1945; Foreign Office 371/50807.

55. Ibid.
56. Memorandum dated February 5, 1945; Foreign Office 371/50807. This was the only guidance Winston Churchill received on the trusteeship question at the Yalta Conference by the British delegation prior to its formal raising in the Big Three discussions on February 9, 1945.
57. That Franklin Roosevelt was still committed to international trusteeship was shown in his wide-ranging suggestions of territories to be so designated in private conversations with Joseph Stalin on February 8th. The President still believed that Korea and Indo-China could become trusteeships and Hong Kong and Dairen international ports. See Foreign Relations of the United States: The Conferences at Malta and Yalta, p. 770.
58. Ibid., p. 810. Edward Stettinius made it clear that specific territories would not be discussed.
59. Edward Stettinius' words. See Roosevelt and the Russians, op. cit., p. 236.
60. Foreign Relations of the United States: The Conferences at Malta and Yalta, p. 844, and William Leathy, I Was There, p. 368. Not all the American delegation felt disquiet at Winston Churchill's outburst against trusteeship. Admiral Leathy records, "I personally was highly pleased with this courageous statement by the British leader". Ibid. Of course, British opposition to trusteeship would help the American military in their desire to annex the Japanese mandated islands.
61. Foreign Relations of the United States: The Conferences at Malta and Yalta, op. cit. A somewhat disingenuous statement in view of President Roosevelt's own opinions and the State Department's plans outlined earlier in this thesis.
62. Ibid.
63. Ibid., p. 935. Italics contained in the American working draft.
64. Edward Stettinius was probably innocent of trickery; but Alger Hiss undoubtedly was aware that the implications of the American formula went much further and had wider implications than Winston Churchill was led to believe by the Secretary of State.

65. Statement to the Cabinet's Armistice and Post-War Committee on 5th March, 1945; A. P. W. (45) 5th Meeting, Cabinet Office 87/68.
66. Ibid.
67. Memorandum by Oliver Stanley on "International Aspects of Colonial Policy", dated March 19, 1945; Colonial Office 968/161/14814/11.
68. Much to British annoyance, at the Wellington Conference of November 1944, the Australians and New Zealanders had argued for extending rather than abolishing the mandates system. For a discussion of this aspect, see Imperialism at Bay, op. cit., pp. 409-421.
69. For details of the British proposals, see Documents of the United Nations Conference on International Organization, San Francisco, 1945 (Hereafter cited as UNCIO), Volume III, Doc. 2, G/26(d), pp. 609-10. For the official British commentary on the proposals, see Ibid., pp. 611-614.
70. The only reference in the League Covenant regarding general welfare in colonies was the provision of Article 23(b) stating that League members will "undertake to secure just treatment of the native inhabitants of territories under their control".
71. Ibid., p. 611.
72. See Oliver Stanley's memorandum of March 19, 1945.
73. UNCIO, Vol. III., op. cit., page 610, para. 4.
74. Ibid., para. 5.
75. Ibid., para. 6.
76. Ibid., para. 7.
77. Ibid., para. 8. The British envisaged the Economic and Social Commission primarily as a technical body of restricted membership; unlike the potentially "meddle-some" (in British eyes), more political General Assembly with its membership of the entire United Nations.
78. Oliver Stanley first learnt the details of the trusteeship plan the United States brought to the San Francisco Conference on April 30, 1945 (only a few days before the Americans released them to the Press on May 3rd); Colonial Office 968/161.

79. Another reason for the delay was the Soviet failure to nominate a representative by the beginning of April.
80. For example, Lord Halifax telegraphed to Anthony Eden on March 23, 1945, that the State Department intended to "tighten up" its trusteeship proposals and envisaged the new United Nations sending out its own technical experts to inspect economic and social conditions in dependent territories. Winston Churchill asserted, "I do not like it. It goes beyond what I was assured at Yalta"; Foreign Office 371/50807.
81. Postwar Foreign Policy Preparation, op. cit., p. 387.
82. Ibid., p. 388. "The military and naval representatives were all members of the Joint Chiefs of Staff. The interest of the Interior Department stemmed.... from its responsibilities for administration of certain territorial possessions of the United States".
83. At that time, of course, nobody foresaw the sudden collapse of Japan after the dropping of the atom bombs on Hiroshima and Nagasaki; one of the consequences being that the European powers "liberated" their former colonies themselves. For further details, see Christopher Thorne, Allies of a Kind.
84. Arthur H. Vandenberg, The Private Papers of Senator Vandenberg (Boston, 1952), p. 52.
85. Memorandum dated November 23, 1943. See Foreign Relations of the United States: Conferences at Cairo and Teheran, pp. 371-2.
86. Memoirs of Cordell Hull, op. cit., p. 1475.
87. United States Defense Department, The Entry of the Soviet Union into the War Against Japan: Military Plans (Washington, 1955), p. 50.
88. Memoirs of Cordell Hull, op. cit., p. 1600-1601.
89. Henry L. Stimson and McGeorge Bundy, On Active Service in Peace and War (New York, 1948), p. 600.
90. Foreign Relations of the United States: The Conferences at Malta and Yalta, 1945, p. 79-80.
91. On Active Service in Peace and War, op. cit.

92. State Department, International Organisation, Postwar Planning, "Notter Files", 1945, Box 189. The proposals are summarised in A History of the United Nations Charter, op. cit., pp. 576-7.
93. This was the first time that the specific division of trust territories into strategic and non-strategic areas had been suggested in the various trusteeship proposals emanating from the Roosevelt Administration.
94. Ibid., p. 579.
95. The Trusteeship Council was also empowered to "make provision for appropriate representation of international mixed commissions administering trust territories", and to "make arrangements for representatives of appropriate specialised organisations or agencies to participate in its deliberations, without the right to vote".
96. For details of the Interdepartmental Committee's proposals, see "Memorandum by the Interdepartmental Committee on Dependent Areas", dated March 17, 1945, in Foreign Relations of the United States, 1945, Vol. I., The United Nations, pp. 134-138.
97. Ibid., p. 141.
98. Ibid., p. 312.
99. The Forrestal Diaries, op. cit., p. 49.
100. Ibid., p. 54.
101. Ibid.
102. Ibid.
103. A History of the United Nations Charter, op. cit., p. 585-6, n. 17.
104. Foreign Relations of the United States, 1945; The United Nations, p. 205.
105. Ibid., p. 210.
106. Ibid., p. 206.
107. Ibid., p. 211-12.
108. Ibid., p. 211. n. 52.
109. Ibid., p. 210.

110. Ibid., p. 122.
111. The Forrestal Diaries, op. cit., pp. 49-50.
112. Foreign Relations of the United States, 1945: The United Nations, op. cit., p. 123.
113. Ibid., p. 124.
114. Ibid., p. 123.
115. Ibid., p. 124.
116. Ibid., pp. 196-197.
117. Ibid., pp. 288-9.
118. Ibid., p. 312. The composition of the American delegation is examined in Chapter 7.
119. Ibid., pp. 312-315. See also On Active Service in Peace and War, op. cit., pp. 600-601.
120. The Private Papers of Senator Vandenberg, op. cit., p. 69.
121. Foreign Relations of the United States, 1945, Vol. 1, The United Nations, op. cit., pp. 316-320 and 348-349.
122. Ibid., pp. 330-31, and pp. 348-51.
123. Ibid., pp. 444-51, and pp. 459-60.
124. Ibid., pp. 459-60.
125. Memoirs of Harry S. Truman, Vol. I, (The New American Library, 1955), p. 305.
126. On Active Service in Peace and War, op. cit., pp. 601-602.
127. The New York Times, April 3, 1945.
128. Memoirs of Harry S. Truman, Vol. I, op. cit., p. 306.
129. For all references from this document, see UNCIO, Vol. III, Doc. 2, G/26(c), pp. 607-8. The document is also reproduced in A History of the United Nations Charter, op. cit., pp. 1030-31; and Postwar Foreign Policy Preparation, op. cit., pp. 686-7.

## Chapter 7 : San Francisco and Beyond

When the San Francisco Conference opened on April 25, 1945, the American proposals on trusteeship had still not been finalised because of continuing internal divisions not wholly resolved even after President Roosevelt's death. At San Francisco, however, the United States played the leading part in formulating the new United Nations' constitutional provisions regarding dependent territories. These provisions were subsequently used by the anti-colonial powers to attack the whole ethos of Western European colonialism. Despite her anti-colonial tradition, the United States was not their leader for a number of reasons: in particular, continuing military ambitions to annex Micronesia; the need to ensure the European colonial powers' compliance to trusteeship; and growing awareness of the complexity of colonial problems. Rather, both at San Francisco and during the actual work of the United Nations, the American role was a moderating one; endeavouring to reconcile or at least to ameliorate the differences between the European colonial powers and their anti-colonial opponents.

This chapter is divided into two sections. The first examines the American role during the San Francisco deliberations on trusteeship. There are three main areas of analysis: self-government or independence for dependent peoples; the proposed Declaration on Non-Self-Governing Territories; and establishing the trusteeship system. There is also an overall summary of the American contribution to extending the principle of international accountability at the San Francisco Conference. The second section investigates the American position regarding the constitutional aspects of United Nations concern with colonial problems. Again there are three main areas of analysis: the submission of the trusteeship agreements; American administration of Micronesia; and the anti-colonial

powers' attempt to "bridge the gap between the trusteeship system and the non-self-governing territories"<sup>1</sup> which culminated with the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples of December 1960 and the establishment of a Special Committee to report on its implementation in November 1961.<sup>2</sup>

Constitutional developments since November 1961 and United Nations involvement in threats to international peace and security arising from colonial situations lie outside the scope of this thesis. Throughout the chapter, the underlying theme is the interplay between American anti-colonial sentiments, protecting American interests, the need to accommodate the interests of the European colonial powers, especially Great Britain, and the desire to see dependent peoples achieve independence in an orderly manner.

#### 1. The San Francisco Conference

The Big Five<sup>3</sup> had not reached agreement on the trusteeship provisions to be included in the new Charter prior to the opening of the San Francisco Conference. Their consultations did not begin until April 30. The participants, "known as the Five Power Consultative Group, were regular members, rather than chairmen, of the five delegations". The proposals to be considered included the American and British plans plus one from Australia. "After some opening discussion of the American plan, the French and Chinese delegations presented what, in effect, were revised versions of this draft. Two weeks later, formal Soviet amendments to the United States proposal were received from Moscow".<sup>4</sup> Preparation of draft trusteeship provisions based on the Five Power Consultative Group's deliberations "was assigned to a technical committee, II/4, working under Commission II which itself had charge of provisions relating to the General Assembly. The Committee, under the chairmanship of Mr. Peter Fraser, then Prime Minister of New Zealand, met sixteen times from May 5 to June 20, 1945, and

was composed, as were all other committees of representatives of all states participating in the Conference".<sup>5</sup> Committee II/4 "technically" formulated and approved the trusteeship decisions, but the real negotiations were undertaken and the fundamental decisions reached in private by the Five Power Consultative Group or within their individual delegations. Among them there was a general understanding that "they would present a united front in Committee II/4, while continuing informal consultation on those questions not as yet settled".<sup>6</sup>

The United States took the lead during the Five Power Consultative Group negotiations and the deliberations of Committee II/4. The American role was crucial. If it had not been for American anti-colonial sentiments and desire for a measure of international accountability, the future of dependent peoples might well have figured less prominently at San Francisco. In particular, the United States recognised that the trusteeship "provisions of the Charter had to be voluntarily accepted" by the colonial powers.<sup>7</sup> The overall American role, however, was diminished by the a failure to "define" her own position precisely enough due primarily to the continuing debate in Washington over the fate of the Japanese islands mandate.<sup>8</sup>

Unlike the Paris Peace Conference of 1919, the American delegation was well-balanced politically. Two senators were members; Tom Connally of Texas, Democratic Chairman of the Foreign Relations Committee, and a Republican member of that Committee, Arthur Vandenberg. There were two members from the House of Representatives; a Democrat, Sol Bloom of New York, and a Republican, Charles Eaton of New Jersey, both members of the House Committee on Foreign Affairs. Bloom, Connally and Eaton had taken part in the trusteeship discussions of the State Department Advisory Committee during 1942-43. Harold Stassen, a former Governor of Minnesota and future presidential candidate, was the delegation member responsible for Conference negotiations on trusteeship

affairs.<sup>9</sup> He also chaired the Five Power Consultative Group's trusteeship discussions. The advisors included John Foster Dulles, the future Republican Secretary of State, and numerous authorities on colonial matters such as Isaiah Bowman, Benjamin Gerig, Leo Pasvolsky, and Charles Taussig.

The delegation met frequently during the Conference, sometimes twice daily, and were in regular contact with President Truman, Congress, and the State, Navy and War Departments. The liaison role was particularly important because of the continuing strong pressures within the United States to annex the Japanese islands mandate throughout the San Francisco Conference and beyond. For example, on "3rd May, the Naval Affairs Sub-Committee of the Senate headed by Senator Harry Byrd of Virginia, arrived at San Francisco to press for annexation: 'There should be no question that we have control of them when it is deemed to be necessary for our security'."<sup>10</sup> During the Conference deliberations on trusteeship, the American delegation had nine guiding principles:

- "(1) Recognition that the principles of the Atlantic Charter are applicable to all peoples of the world, including dependent peoples;
- (2) Recognition of the principle that the administration and development of dependent peoples is a proper concern of the world community and of the international organisation;
- (3) That, subject to prior agreement of the states directly concerned;
  - (a) territories now administered under the mandate system may be placed under the new trusteeship system if and when such agreement is reached;
  - (b) territories which are detached from enemy states in this war may be placed and administered under the trusteeship system when such agreement is reached; and
  - (c) the trusteeship system should be available to dependent territories other than those in (a) and (b) above when the states controlling them voluntarily agree;
- (4) That the trusteeship system evolved as a part of the Charter should be so designed as to fully protect the security interests of an administering power;
- (5) That self-government or independence should be the ultimate goal for all peoples who are capable of exercising the responsibilities involved, and the administering states should be responsible for the

political advancement of the peoples under their authority;

(6) That all dependent territories should be administered in accordance with the principles that the interests of the inhabitants and their welfare and development are a primary concern;

(7) That the welfare and development of dependent peoples and the maintenance of international peace and security are closely inter-related;

(8) That the trust territories should be administered under the principle of equal treatment in social, economic, and commercial matters for all members of the international organization and their nationals;

(9) That the proposed Trusteeship Chapter of the Charter in and of itself should not alter the existing rights of any states or any peoples, but that alterations of the terms of existing mandates or other territories could be made only by subsequent agreement of the states directly concerned subject to the approval of the Organization."<sup>11</sup>

The Five Power Consultative Group agreed to a "Proposed Working Paper for a Chapter on dependent Territories and Arrangements for International Trusteeship" on May 14. Harold Stassen presented it on behalf of the Consultative Group to the fifth meeting of Committee II/4 on May 15. The paper was divided into two parts: Part A, a general policy statement on dependent territories *developed* from the British proposals; and Part B on arrangements for a trusteeship system based primarily on the American proposals.<sup>12</sup> Before examining these proposals, however, mention must be made of the Conference deliberations on whether independence or self-government should be the goal for dependent peoples. This underlay the discussions on both parts of the Working Paper as did consideration of ways to promote the general welfare of dependent peoples, the requirements of international security, and the need for international accountability. In fact, all the deliberations of both the Five Power Consultative Group and Committee II/4 were inter-related. Nevertheless, to simplify the examination, the three areas of analysis are treated separately as self-contained units.

Another point to be borne in mind is that "Anglo-American collaboration" played a major role in resolving

problems relating to non-self-governing and trust territories. In particular, throughout the San Francisco Conference, Harold Stassen and Benjamin Gerig "worked effectively with their British counterparts", Lord Cranborne and Sir Hilton Poynton. Despite divergent views on colonialism as such, "it was in the interest of both the British and the Americans to try to reach agreement on fundamentals". To quote William Roger Louis; "on the whole the Americans held the upper hand. The draft of their proposal had been years in the making. The best the British could produce was a warmed-over version of Article 22 of the League Covenant, understandably enough, since they were prepared to go no further than a renewal of the mandates system." Intense and secret discussions were "held between the American and British groups, and between the British delegation in San Francisco and the authorities in London. During the first half of May, Cranborne and Stassen successfully worked towards a concord that carried the conference and laid the basis of the trusteeship system."<sup>13</sup>

(a) Independence or Self-Government

The Soviet amendment to the American draft trusteeship proposal stated that a principal objective should be the "progressive development" of dependent peoples "toward self-government and self-determination" with their "active participation" in order "to expedite the achievement by them of full national independence".<sup>14</sup> The Russians "originally" wanted this objective "included in Part A of the Working Paper, the declaration of principles regarding dependent areas generally, as well as in the objectives for territories coming under the trusteeship system".<sup>15</sup> The Chinese also proposed "progressive development toward independence or self-government as may be appropriate".<sup>16</sup> During the deliberations of Committee II/4, Egypt, Iraq and the Philippines among others argued that "independence" should be an option for all dependent peoples. The Chinese and the

Russians vigorously "emphasised that the word 'independence' had appeared in Article 22 of the League Covenant", that Iraq, a mandated territory, "had become independent, that independence was the goal of many dependent peoples whose hopes would suffer if a backward step were now taken by excluding the term, and that the principle of the 'right' of self-determination is recognised in Article I of the Charter".<sup>17</sup>

Great Britain led the European colonial powers' opposition to these arguments. Her draft chapter on "Territorial Trusteeship" proposed only that for "dependent territories inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world", there should be "the development of self-government in forms appropriate to the varying circumstances of each territory".<sup>18</sup> In the Five Power Consultative Group discussions, she "maintained that many dependent peoples desired liberty rather than independence, which would be impracticable for some in the foreseeable future. The multiplication of weak units was undesirable in itself. Moreover, in areas where independence was contemplated in the near future, administering powers might be reluctant to continue investing their own resources."<sup>19</sup> The French supported the British objections and argued that "the interests of dependent peoples would best be served by the development of their political institutions under some form of federal unity with the metropolitan country; language that favoured the 'hatching' of small, independent units would only lead to confusion, whereas reference to the development of political institutions could include self-government or independence, as appropriate in each case."<sup>20</sup>

The Americans, with considerable heart-searching, supported the Anglo-French arguments. The American draft proposal "Arrangements for International Trusteeship" referred only to the "progressive development toward self-government" by peoples placed under trusteeship.<sup>21</sup> This was

very restrictive compared to the earlier sweeping American proposals examined in Chapters 5; proposals similar to the Chinese and Russian ones at San Francisco. In fact, as late January 1945, the official State Department view was that while in "British opinion the goal should be self-government within the framework of empire", the United States favoured "independence as the goal of those dependencies capable of enjoying it". It "might be acceptable", however, to permit "such territories the option of freely choosing whether to be independent or to remain within an empire".<sup>22</sup>

The more conservative American approach at San Francisco was due to a combination of the internal dispute over the Japanese mandated islands, the possible implications for American dependencies of radical measures, and the recognition that the European colonial powers, especially Great Britain, would not agree to a general declaration on independence for all dependent peoples. Nevertheless, although publicly siding with the European colonial powers, albeit reluctantly, the United States found a compromise solution; based on the view expressed by Harold Stassen "that there was no limit to self-government. It might lead to independence."<sup>23</sup> After discussions within the Five Power Consultative Group, "it was agreed that 'independence' would be included in the stated objectives of the Trusteeship System (Chapters XII and XIII), but would be excluded from the Section now known as the Declaration Regarding Non-Self-Governing Territories (Chapter XI)".<sup>24</sup> The latter would refer to 'self-government' only.

The debate within the American delegation on "independence" or "self-government" throws considerable light on American anti-colonial sentiments. There were the anti-colonialists imbued by the spirit of Franklin Roosevelt. For example, the view of Charles Taussig:

"Independence as a goal for all peoples who aspire to and are capable of it has been the traditional and sacred policy of this Government. It has been exemplified in our policy in the Philippines, and it has been reiterated on

numerous occasions by President Roosevelt and former Secretary of State Cordell Hull."<sup>25</sup>

He emphasised that President Roosevelt had felt that to "deny the objective of independence", could "sow the seeds of the next world war". The United States "should take the leadership and indicate to the Oriental peoples that we do not back the imperial role of the handful of non-Asiatics".<sup>26</sup> Harley Notter sympathised with this view and argued that to "take any position short of independence would simply not satisfy the colonial peoples" and that "spearheading for the British, Dutch and Belgian colonial empires", inevitably "would be very unpopular in the Far East". The problem was one of "approach" as "there was no fundamental difference in objective between those who favoured self-government and those who favoured independence, since self-government implied the possibility of independence".<sup>27</sup>

The pragmatists within the delegation were more concerned with American interests as opposed to ideological anti-colonialism. Harold Stassen questioned whether it was the American "intention to give complete independence to Hawaii",<sup>28</sup> while Sol Bloom pointed out that the United States "had bought and paid for Puerto Rico and that they were asking not for independence but for statehood".<sup>29</sup> Isaiah Bowman believed that the key consideration was the future "inevitable struggle" with Russia; "Would we have the support of Great Britain if we had undermined her position?"<sup>30</sup> Harold Stassen maintained "that the word 'inter-dependence' rather than 'independence' was the word of the future" and that "the concept of progressive development toward self-government was as far as one could go in the direction of independence". Moreover, if the United States "sided with the Chinese and the Russians on this issue, there probably would be no trusteeship system since the British will never accept the position".<sup>31</sup>

Even the pragmatists, however, were influenced by anti-colonial sentiments. Leo Pasvolsky underlined the "dilemma"

in that whereas "too much emphasis on independence as the sole good was bad", but "emphasis on independence was in our tradition".<sup>32</sup> Indeed, Harold Stassen also accepted that the "United States could not really place itself in a position of denying the principle of 'self-determination'".<sup>33</sup> Because President Roosevelt "had declared that the Atlantic Charter was applicable to the Pacific and Atlantic areas", it "would be difficult" for the American delegation "to defend any language less strong than the Atlantic Charter".<sup>34</sup>

(b) The Declaration on Non-Self-Governing Territories

Section A of the Five Power Consultative Group's Working Paper on Non-Self-Governing Territories formed the basis of what became Chapter XI of the United Nations Charter; the "Declaration Regarding Non-Self-Governing Territories".<sup>35</sup> It grew out of paragraph one of the British proposal for "Territorial Trusteeship".<sup>36</sup> This proposal, analysed in Chapter 6, resembled the terminology of Article 22 of the League Covenant; resting on the principle that United Nations members responsible for administering "dependent territories inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, accept the principle that it is the sacred trust of civilisation to promote to the utmost the well-being of the inhabitants of these territories within the world community".<sup>37</sup>

As was pointed out in Chapter 6, the American trusteeship proposal contained no reference to a general colonial declaration. The only original American contribution<sup>initially</sup> was to add the phrase "to further international peace and security" to the list of British objectives in the Working Paper. In fact, when during internal American delegation discussions, Nelson Rockefeller "asked whether it had ever been planned to place all territories under trusteeship", Leo Pasvolsky "declared that there had never been any serious plans of this nature, although there had been some 'wild' ideas concerning a complete trusteeship

system".<sup>38</sup> No doubt Mr Pasvolsky had good reasons for being somewhat economical with the truth. As was pointed out in Chapter 5, the State Department's first wartime proposals, the Draft Protocol on Trusteeship completed under the direction of Sumner Welles in October 1942, was intended to apply to all colonies outside the Western Hemisphere.

During the deliberations of the Big Five Consultative Group and Committee II/4, the United States supported the successful Iraqi objection to the reference to "civilization" in the Working Paper's phraseology and, more significantly, the Australian amendment to provide "the means whereby the general principles of Section A would be carried into effect".<sup>39</sup> After consultations with the Australians, British and French, the American technical advisers prepared a new draft of Section A "based on the Australian amendment but with some language also from early Department of State drafts on trusteeship principles".<sup>40</sup> Provisions were added on "political" and "educational advancement"; respect for "human rights" without discrimination; promoting "economic development"; inter-state cooperation through United Nations "functional organs" and "appropriate regional bodies"; and compiling and sending "regularly to the Secretary General" of the United Nations "full statistical and other information of a technical nature relating to the political economic, social and educational conditions".<sup>41</sup>

Within the American delegation there was some support for expanded provisions in line with the general ethos of American anti-colonialism. John Foster Dulles stated that the United Nations "should have the authority to look into the condition of colonial peoples".<sup>42</sup> Similarly, Harold Stassen favoured making information "available" to the United Nations' Secretary General on American dependencies "in order to set a precedent which would be followed by other administering powers throughout the world".<sup>43</sup> Charles Taussig supported by Benjamin Gerig among others, even stated that "Section A constituted a tremendous advance and that the

inclusion of the word 'political' would make it a paragraph of even more importance".<sup>44</sup> From outside the delegation, Harold Ickes, the Secretary of the Interior, wanted the United States to "sponsor a declaration of general policy respecting all dependent territories". Among other things this "should reiterate" the American "historic commitments to the rapid political, economic and social advancement of dependent peoples to... first, self-rule and second, independence".<sup>45</sup>

In general, however, the additional clauses caused considerable disquiet within both the American delegation and the new Truman Administration in Washington; in particular, the Navy and War Departments favoured more limited objectives as in the earlier drafts of Section A of the Working Paper. Their objections were based on the possible dangers to American security and sovereignty; especially the transmission of information, albeit of a "technical nature" only, on American dependencies. Similar fears were raised in the American delegation. Senator Vandenberg declared that "the whole Chapter was not worth the trouble it had taken if it implied any jurisdiction" by the United Nations "no matter how remote, over Hawaii and Alaska".<sup>46</sup> Majority opinion within the delegation also opposed including the word "political" among the types of information to be transmitted and recognised that Great Britain and the other European colonial powers would not agree its inclusion. Harold Stassen stated that such information should be sent "on a voluntary basis" only.<sup>47</sup>

The differences were "resolved in the direction of the military views"<sup>48</sup> which together with British and French objections, resulted in a more restricted set of principles being incorporated into Chapter XI of the Charter. In particular, Article 73(e) made no reference to the transmission to the Secretary General of "political" information and emphasised that only "statistical and other information of a technical nature relating to economic,

social, and educational conditions" was to be sent and even then "subject to such limitation as security and constitutional considerations may require". As Emil Sady pointed out, at San Francisco there was "no misunderstanding" of the limited nature of the "obligations undertaken by administering states", or that "the Charter contained no provision for machinery to supervise the administration of any non-self-governing territories that were not placed under trusteeship".<sup>49</sup>

(c) Establishing the Trusteeship System

Section B of the Working Paper drawn up by the Five Power Consultative Group was substantially based on the American trusteeship proposals.<sup>50</sup> Committee II/4 began discussing Section B on May 16, and with relatively minor amendments it became the basis of the United Nations trusteeship system; Chapter XII of the Charter on objectives and principles (Articles 75 to 85), and Chapter XIII on the Trusteeship Council (Articles 86 to 91). Within the confines of the Yalta formula limiting the categories of territory to be placed under trusteeship and safeguarding American security interests by creating the special category of "strategic" trusts, the United States played a much more positive role than in the debate on what became the Declaration on Non-Self-Governing Territories. She leaned more towards the anti-colonial viewpoint, but opposed their more extreme demands like the Philippines' one "that the principle of trusteeship should be applicable to all dependent territories";<sup>51</sup> an idea originally advocated by Sumner Welles among others.

During the trusteeship discussions, the American delegation was under constant pressure from Congress and the Navy and War Departments to safeguard the American position regarding the Japanese mandated islands. Despite the compromise between the State and the Navy and War Departments which led to the "strategic" trust formula, the pressures for

annexing the islands persisted throughout the San Francisco deliberations. Congressional opinion favoured annexation as did some members of the delegation. For example, Senator Connally stated "that we are going to take these islands and hold them, but if we hold them under trusteeship we might get into difficulty with our Allies".<sup>52</sup> Isaiah Bowman put the alternative viewpoint; "the world expects us to do something on trusteeship" and if the United States annexed the islands, she would be in a very weak position to oppose British ambitions in, say, "Somaliland".<sup>53</sup>

The anti-colonial argument triumphed, but only within the confines of the "strategic trust" formula, the provision that the arrangements for each territory placed under trusteeship should "be agreed upon by the states directly concerned", and Great Power agreement that trusteeship principles only would be discussed at San Francisco, not specific territories. In reality, the United States would annex the Japanese mandated islands in all but name. She had possession and, in the words of Harold Stassen, "would define the terms of the trusteeship".<sup>54</sup> Nevertheless, outright annexationist pressures still persisted within Congress and the Truman Administration<sup>55</sup>. It was not until November 6, 1946, that President Truman announced that the United States would definitely "submit a trusteeship agreement for 'any Japanese islands for which it [had assumed] responsibilities as a result of the Second World War'".<sup>56</sup>

The additions and amendments made by the Five Power Consultative Group to the American trusteeship proposals on the whole were relatively minor.<sup>57</sup> "Among the provisions of Part B not contained in the United States draft was one taken from the Chinese proposals enabling the international organization to become administering authority of a trust territory. Soviet demands for representation of all permanent Security Council members on the Trusteeship Council were also met. For the benefit of mandatory powers, a so-called 'conservatory clause' was introduced to preserve

existing rights of an administering state or trust people in any territory."<sup>58</sup>

The debate over the trusteeship system within the American delegation, the Five Power Consultative Group and Committee II/4 highlights the conflict between American anti-colonial sentiments and perceived national interest requirements. In resolving this conflict, the United States actually protected her own interests, but also extended the boundaries of international accountability; certainly further than Great Britain and the other European colonial powers had anticipated. In addition to the already mentioned question of "independence" or "self-government" for trust territories, the conflict between sentiment and interest took place within the context of three issues: strategic requirements and control over the Japanese mandated islands; the 'open door'; and the Trusteeship Council's composition and powers.

Strategic requirements. To reiterate; the United States desire to retain unrestricted control of the Japanese islands mandate was such that she would only agree to a trusteeship system which included "strategic trusts" coming under the Security Council where there would be American veto powers. Within the Five Power Consultative Group, however, Great Britain at first opposed special treatment for strategic areas on three grounds. First, "as the interests of the indigenous inhabitants are a paramount consideration", international "supervision is just as necessary in strategic areas as in other areas". Second, "particularly in large territories", it was not "possible to draw a hard and fast line separating strategic areas from non-strategic areas". Third, administering powers should be able "to mobilise the war potential" of their trust territories so long as this conformed with their "obligations" under the United Nations Charter.<sup>59</sup> Great Britain therefore proposed that administering authorities report on security functions to the Security Council and on other functions to the Trusteeship

Council." The Soviet Union, moreover, "wanted to provide that such strategic areas should be named on recommendation of the Security Council, as the only agency that would know the full world security picture and, therefore, where strategic areas were needed".<sup>60</sup>

These proposals, "for obvious political reasons",<sup>61</sup> were not acceptable to the United States. The American delegation's military advisers, General Stanley Embick and Admiral Russell Willson, made it clear that strategic trusts were the minimum that was acceptable in the interests of American security.<sup>62</sup> Harold Stassen included the strategic trust concept in the Working Paper and no more was heard of the British, Chinese and Russian objections. Great Britain had long favoured American retention of the Japanese islands mandate and "giving way on the issue of the strategic trust territory" would help create "a spirit of goodwill" with the Americans. "It cost the British nothing, and it helped in bringing the two parties together."<sup>63</sup> Now that "all trust areas" were to be integrated "into the international security system", however, it was "basically inconsistent" for the United States to continue to advocate the 'no fortification' rule devised by Woodrow Wilson in large part to restrict Japan's militarisation of her Pacific islands mandate. Accordingly, she dropped her opposition to the British and Australian proposal to remove the restrictions on using mandates for military purposes. The Working Paper permitted administering authorities to use "volunteer forces, facilities, and assistance from trust areas"; a provision written into Article 84 of the Charter.<sup>64</sup>

In addition to the strategic trust concept, there were some constitutional or technical suggestions which the United States either advocated or opposed to deflect possible future attempts to reduce her hold over the Japanese mandated islands. As already mentioned, the United States emphasised that the arrangements for each territory could be made only by the "states directly concerned", and "would include terms

of administration for the territory and establish whether it was to be a strategic trust". All functions "would be exercised by the Security Council" where the United States would have a veto. The General Assembly "would be similarly responsible in the case of non-strategic trusts".<sup>65</sup> The American position was that if no "subsequent agreement" was reached by the "states directly concerned", then a territory "could not be placed under the [trusteeship] system".<sup>66</sup> Regarding the Japanese islands mandate, in the words of Harold Stassen, "the United States has the right of possession. This right of possession, he emphasised, can be kept if the country has national backbone and if satisfactory trusteeship arrangements for these territories cannot be negotiated."<sup>67</sup>

The United States opposed "an Australian proposal to give the General Assembly power to declare dependent territories under trusteeship and to name the individual" administering authorities. It "was not even debated" in the Five Power Consultative Group.<sup>68</sup> Another proposal "unacceptable" to the United States was the Chinese one "for action against violation of a trust agreement" as this "would be a matter of international concern, and hence should be brought before the Assembly or Security Council, as appropriate".<sup>69</sup> The American Working Paper was also "silent" on criteria "for terminating a trust or transferring it from one administering authority to another". In actual fact, however, as the "states directly concerned" had to concur in "any alteration or amendment" of the original trusteeship arrangements, "neither termination nor transfer could occur without the consent of the original administering authority". During the discussions on this point in Committee II/4, the Americans and British stated that if an administering authority "withdrew" from the United Nations "for good reasons, it could continue to cooperate so far as its trust responsibilities were concerned. In less happy circumstances, however, the resulting situation 'could only

be judged by the General Assembly and the Security Council on its merits', in view of the prevailing circumstances." The anti-colonialists in Committee II/4 had to accept this "interpretation", no matter how reluctantly.<sup>70</sup> The United States' position regarding the Japanese mandated islands or any other territories she assumed trusteeship responsibilities for, was absolutely secure. She had possession of the mandated islands and was "constitutionally" safeguarded if leaving the United Nations "for good reasons"; if the reasons were not good, then the United Nations was extremely unlikely to take any effective action against her. Ernst Haas' observation is most apt: "Thus established, the Trusteeship System seemed innocuous enough to satisfy the sentiments of the most hardened isolationist".<sup>71</sup>

The Open Door was a basic objective of the "Arrangements for International Trusteeship" proposed by the United States. Paragraph 2(c) stated that the trusteeship system should "provide for non-discriminatory treatment in trust territories with respect to the economic and other appropriate civil activities of the nationals of all" United Nations' members.<sup>72</sup> As well as being "in line with American policy against discriminatory policies in all international economic matters" and an integral part of the ideological core of American anti-colonialism, the "equal-treatment guarantee" had a "specific background" in American relations with the League mandates system as discussed in Chapter 4. In essence, the least developed "C" class mandates, "were normally administered as integral parts of the mandatory states, which had never extended to United States commerce the non-discriminatory 'open door' policies enforced in other mandates. This had long been an issue between them and the United States."<sup>73</sup>

An "open door" clause was "significantly absent" from the British trusteeship proposals.<sup>74</sup> Along with the other colonial powers, Great Britain strongly opposed the "non-

discriminatory treatment of nationals of member states";

"This would have the effect of assimilating the status of C Mandates to that of B Mandates, thus altering the terms of the contracts under which the states responsible for C Mandates had agreed to accept them. It would also perpetuate in B Mandates the existing non-discriminatory clauses, which had not always operated to the advantage of the dependent peoples concerned."<sup>75</sup>

The Americans "proved to be adamant about the free trade clauses",<sup>76</sup> and the colonial powers were forced to agree to the essentials of the American demands. Some concessions were made, however, "albeit reluctantly by the economic advisers of the American delegation, in a qualification that equal treatment should be ensured in the trust territories to the extent that it did not prejudice the advancement of the local inhabitants".<sup>77</sup> American anti-colonialism triumphed to the extent that the relevant phrase of Article 76(d) reads "to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals".

The Composition and Powers of the Trusteeship Council. It was with regard to the Trusteeship Council that the United States played her most positive role in extending the principle of international accountability for dependent peoples. It was primarily due to her efforts that the Council became a "principal" organ of the United Nations. The American proposals specifically referred to a Trusteeship Council "to assist the General Assembly to carry out those functions under the trusteeship system not reserved to the Security Council".<sup>78</sup> The British proposal had advocated only a "permanent commission" to advise the Economic and Social Council.<sup>79</sup> This was rejected in favour of the American proposal in the Working Paper compiled by the Five Power Consultative Group; the American conception being eventually incorporated into the United Nations Charter.

Another American proposal incorporated into the Charter was that the Trusteeship Council "should consist of specially qualified representatives" from states. The proposal also suggested that these representatives should be equally divided between representatives from administering and non-administering states. To take "care of the Soviet request for a seat on the Council", during the discussions in Committee II/4, the United States later suggested the same equal proportion of administering and non-administering states, but including all five permanent Security Council members; a provision eventually written in to Article 86 of the Charter. While there is no veto power in the Trusteeship Council, during the San Francisco deliberations the United States did consider making its decisions by "a two-thirds majority" as this "would be safer than a simple majority in order to protect the administering powers".<sup>80</sup> The idea was not pursued.

This desire to protect the administering powers was also evident in the American attitude to the Trusteeship Council's powers regarding strategic trusts. The United States did agree to the Security Council being assisted by the Trusteeship Council in non-military affairs; in large part "to meet British objections to the distinction between strategic and non-strategic areas, originating in the fear that the economic and social well-being of strategic area inhabitants would be neglected by their removal from Trusteeship Council supervision".<sup>81</sup> The Americans, however, "would not agree to any reporting on the strategic trusts, rejecting even a Chinese suggestion that such reports might be made to the Security Council on the basis of a questionnaire drawn up by it". When asked in Committee II/4 why there was no "provision for the Security Council to receive reports, accept petitions, and visit the strategic trust territories, the United States replied merely that the Security Council powers were sufficiently broad to cover the situation. The point was not further pursued."<sup>82</sup>

Subsequently the United States did allow petitions from and visits to Micronesia and compiled reports on them for discussion in the Trusteeship Council; the reports being then sent to the Security Council where no formal action is usually taken. But at San Francisco, she took a more restricted view of international accountability.

Regarding non-strategic trusts, however, American anti-colonial sentiment did help to extend international accountability compared with the mandates system. The American proposals obligated "the administering authority in each trust territory within the competence of the General Assembly" to "make an annual report to the General Assembly upon the basis of a questionnaire formulated by the Trusteeship Council". Under the League system, the Permanent Mandates Commission had examined the annual reports and advised the League Council, not the Assembly. An even more radical innovation was the American proposal empowering the General Assembly and the Trusteeship Council "to accept petitions" and "to institute investigations".<sup>83</sup>

These American proposals were at least "anti-colonial in potential",<sup>84</sup> and were in marked contrast to the British ones which made no mention of petitions or investigations. In the debate within the Five Power Consultative Group, Great Britain and France opposed the American proposals. Harold Stassen was adamant that the United States was "standing firm on the right to petition and would insist on some right of inspection within the general trusteeship territories".<sup>85</sup> Although not making any concessions regarding principles, the Americans were willing to modify the wording of their proposals and "strike out the specific reference to investigation" and substitute "a provision relating to the right of periodic visits to the trust territories" in order "to satisfy the British and the French who balked at the concept of investigation".<sup>86</sup> Thus amended, the American proposals were accepted and incorporated into Article 87 of the Charter empowering the General Assembly and the

Trusteeship Council to "accept petitions and examine them in consultation with the administering authority" and to "provide for periodic visits to the respective territories at times agreed upon with the administering authority".

(d) An overview of the American role at San Francisco

The United States played the dominant role in the San Francisco deliberations leading to the formulation of Chapters XI, XII, and XIII of the United Nations Charter. She made few concessions to the anti-colonial powers during the meetings of either the Five Power Consultative Group or Committee II/4. The conservative approach of the European colonial powers, also played an important part in ensuring that the new trusteeship system was not unduly liberal. The new system itself was 'voluntary' and no action taken on Egypt's suggestion that in selecting administering authorities, attention should be paid "to the wishes of the population";<sup>87</sup> a notion Woodrow Wilson had advocated at the Paris Peace Conference. The Covenant distinction between "A", "B" and "C" class mandates was abolished, but at American insistence there was now a division between "strategic" and "non-strategic" trust territories.

The emphasis the United States placed on security and unrestricted control over the Japanese islands mandate in part can be explained by the wartime ethos, the believed use of the islands by Japan to launch her aggression in the Pacific, and the cost in American blood of capturing them. But this explanation is not wholly adequate. Although a frequent critic of European colonialism until well after the Second World War, she had a long-standing history of resenting any apparent infringements of her sovereignty. "Do as you would be done by" was usually not an apt phrase for describing the United States' response to unfavourable comments on her conduct of colonial and other affairs.

Despite long-standing and radical State Department plans for international accountability, the demand of the American

Navy and War Departments for exclusive United States control over the Japanese Pacific islands mandate, meant that the actual American proposals brought to San Francisco were a compromise. Thus, notwithstanding her anti-colonial tradition, the United States did not give either whole-hearted support or much public sympathy to the anti-colonial powers. If President Roosevelt had lived, the United States might have played a more positive anti-colonial role in extending the principle of international accountability for dependent peoples. But he died before the San Francisco Conference began. His successor as President, Harry Truman, was both inexperienced in international affairs and not so concerned with colonial problems as Franklin Roosevelt. To President Truman, these problems were not even of secondary importance compared to taking up the reins of office and continuing the war against the Axis. He was essentially a patriot and more willing to compromise on the side of the military over the trusteeship issue in general than President Roosevelt; especially when confronted with the arguments of the Secretary of War, Henry Stimson, a former Secretary of State and a man of great charisma and acknowledged integrity.

Even if the United States had been a whole-hearted member of the anti-colonial camp, however, it is extremely doubtful whether the colonial powers would have agreed to either greater United Nations control over the trusteeship machinery or a more radical declaration on non-self-governing territories. Cordell Hull among other Americans had long recognised that United States could not impose radical measures of international accountability on reluctant colonial powers. Their cooperation was essential for United Nations supervisory machinery on dependent peoples to work satisfactorily.

Where her own security and sovereignty were not directly threatened, the United States was willing to extend the principle of international accountability for dependent peoples in opposition to the European colonial powers.

American anti-colonialism might have been somewhat muted at San Francisco because of the desire for unfettered control over the Japanese islands mandate, but it still played an essential role in both preserving and extending the principle of international accountability for dependent peoples. Without the United States, the European colonial powers might well have tried to terminate the mandates system without replacing it with the trusteeship system.

## 2. The Constitutional Aspects of United Nations Concern with Colonial Problems

The constitutional provisions of the United Nations Charter regarding non-self-governing and trust territories have been used by the anti-colonial powers as an instrument to attack Western European colonialism. In their hands, the institutional measures for greater international accountability regarding non-strategic trust territories became a constitutional "time bomb".<sup>88</sup> In particular, in attempting to bridge the constitutional divide between trust and non-self-governing territories, the Afro-Asian states argued that the American-sponsored Charter provisions on the right of petition and periodic visits should be applicable to all dependent peoples.

The American response to this attempt to turn the United Nations into an anti-colonial forum and to reshape the international climate of opinion on colonial problems is best understood by the inter-play of five closely related factors in the postwar world. The first is the relative decline in Western European influence and the shift in the centre of gravity of world power to the United States and the Soviet Union whose ubiquitous interests made their involvement in Western Europe's retreat from its colonial outposts almost inescapable. The second is that the United States had to take into account third world reaction against white, especially Western European, domination in the underdeveloped regions of the world. The third world states, moreover,

tended to perceive Western European colonialism not Soviet imperialism as the major threat to world harmony. The third factor was Moscow's use of anti-colonialism as an ideological weapon to further both international communism and Soviet imperialist ambitions. This posed American policy-makers with an acute dilemma as although the United States had inherited a distaste for colonialism, the European colonial powers were her closest allies in the global confrontation with communism. The fourth factor was the increasing Western European acceptance in principle of the eventual independence of most of their colonies. This modified American difficulties from an ideological standpoint, but from a practical one, precipitate decolonization could offer an opportunity for communist penetration. Even if there were no communist takeovers, there might well be domestic upheavals in the new Afro-Asian states which could not be ignored by the United States.

The fifth factor was the Afro-Asian use of the United Nations as the focal point for their anti-colonial crusade. United Nations membership involved the United States more intimately in colonial problems than would otherwise have been the case. American policy-makers themselves became more aware of the complexities of colonial rule. The anti-colonial attempt to extend the United Nations' role into the affairs of all dependent peoples, threatened American sovereignty as well as that of the European colonial powers. To a considerable extent the various dilemmas arising from colonial problems had to be resolved by the United States in an open forum. The public nature of United Nations deliberations forced American spokesmen to be more circumspect in their statements to avoid giving undue offense to either the colonial metropolises or the emergent Afro-Asian states. Open-voting in the General Assembly, Security Council, and Trusteeship Council meant that the United States had to stand up and be counted instead of retreating into vague, ambiguous pronouncements. The third world states

wanted positive support and usually rejected as hypocritical sentimental American protestations of ideological sympathy.

It is against this general background that this section briefly examines the implications for the United States of the constitutional aspects of United Nations involvement with colonial problems. The emphasis is on international accountability and the American anti-colonial tradition. The section is divided into three parts: the United States and the submission of the trusteeship agreements; American administration of Micronesia; and the American position on the anti-colonial powers' efforts to give the United Nations a bigger constitutional role regarding non-self-governing territories. The latter also embraces American attitudes to submitting political information under Article 73(e). It concludes with the establishment of the Special Committee to report on the implementation of the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples.

(a) The Submission of the Trusteeship Agreements

The United States Trust Territory of the Pacific (hereafter referred to as Micronesia) is the only one of the eleven territories placed under trusteeship which still has that status.\* Consideration of the American draft trusteeship agreement for Micronesia is deferred to the next sub-section on the United States' administration of the territory. Details of the other ten territories are provided in Appendix 3. The debate on the arrangements whereby they were originally placed under trusteeship illustrates American anti-colonial sentiments and the principle of international accountability. As at the San Francisco Conference, the United States tended to play a conciliatory role which usually came down on the side of the colonial powers with anti-colonial sentiment being subordinate to national interest. Nevertheless, the American role was usually constructive. For example, regarding the discussion on the draft trusteeship arrangements, John Foster Dulles declared

\* Only Palau now remains under trusteeship. In December 1990, by a vote of 14 in favour to one against (Cuba), the Security Council adopted resolution 683 (1990) terminating the Trusteeship Agreement for the Federated States of Micronesia, the Marshall Islands, and the Northern Mariana Islands. See United Nations Information Centre (London Office), NS 131/90.

that "the Soviet proposal to consider in detail each article was theoretically ideal", but "it would not be practical" as it would be "too big a task".<sup>89</sup> Similarly, he stated that the United States opposed the United Nations itself becoming an administering authority as colonial administration required considerable "experience" and "involved certain responsibilities and technical capacities which the United Nations did not thus far possess. The Organisation was in fact only just learning to administer its own affairs and to make up its own mind."<sup>90</sup>

Eight draft trusteeship agreements were considered by the Fourth Committee of the General Assembly in November-December 1946.<sup>91</sup> It was "understood, though not formally, that a decision taken for Western Samoa would in general be followed by the Fourth Committee with respect to the other drafts".<sup>92</sup> Over such issues as the Indian suggestion over target dates for Western Samoan independence along the lines of the American model for the Philippines, the United States agreed with the New Zealand contention that "fixing" a "time limit" was "completely impractical".<sup>93</sup> Anti-colonial sentiment was more to the forefront, however, in the qualified and successful American opposition to Article VII of the draft trusteeship agreement for Western Samoa stating that it could be treated "as an integral part of New Zealand". John Foster Dulles declared that "he interpreted it to mean 'as if it were an integral part'".<sup>94</sup> The word "if" was eventually incorporated into Article VII as in the Australian draft agreement for New Guinea. The American contention was that this made it clearer that sovereignty did not rest with the administering power.

The self-interested aspect of the United States anti-colonialism in the guise of the 'open door' and 'non-discrimination' in part underlay the American wish to restrict granting private monopolies in trust territories. Both Belgium and Great Britain wanted to create such monopolies for the advantage of the native inhabitants. John

Foster Dulles stated that "customs, fiscal or administrative unions" could be "in the interests of the peoples concerned"; Philippine independence "had not been impeded by the customs union which existed with the United States".<sup>95</sup> Benjamin Gerig, however, emphasised that where "monopolies" were established, "in such cases of departure from the principle of economic equality, there should be no discrimination on grounds of nationality in the selection of non-governmental agencies". The American view was "that the exceptional right to create monopolies, other than fiscal monopolies and essential public works and services, should be subject to prior review by the Trusteeship Council".<sup>96</sup> The principle of prior notification to the Trusteeship Council was defeated; Great Britain arguing that "such a procedure would give to the Trusteeship Council an administrative duty which it was not empowered, under the Charter, to exercise".<sup>97</sup> Belgium and Great Britain, however, "did agree to include in their agreements a provision to prevent discrimination on grounds of nationality in the granting of private monopolies and declared that such monopolies would be granted only when essential for economic development of interest to the inhabitants".<sup>98</sup>

There were also two issues embracing the draft trusteeship agreements for all ten non-strategic trust territories where American anti-colonialism was clearly subordinate to national security; military bases in trust territories and the role of "states directly concerned" in agreeing to trusteeship agreements. In both issues increasing suspicions of Soviet intentions and the emergence of the cold war were major considerations in the formation of American policy. The Soviet Union supported by India and other anti-colonial states strongly opposed the provisions in the first eight draft trusteeship agreements to give administering authorities the right "to establish naval, military and air bases and to erect fortifications" and "to station and employ armed forces" in trust territories.<sup>99</sup>

Their opposition was based on the belief that it "would be an extension of Article 84 of the Charter, and that unless military bases were declared strategic trust areas under Articles 82 and 83, they could be established only pursuant to agreements made with the Security Council under Article 43".<sup>100</sup>

Although the original no-fortification provisions of the League mandates system were an American conception, the United States now supported the successful contention of the administering powers that a degree of militarisation was within the philosophy of the Charter. John Foster Dulles maintained that "Article 84 of the Charter required the participation of Trust Territories in the maintenance of world peace, and Article 51 of the Charter recognised the inherent right of self-defence, which surely applied equally to Trust Territories". Certainly neither the United States nor its allies wanted the issue to go to the Security Council where the Soviet Union would have a veto. To quote John Foster Dulles; "the use of the veto power in the Security Council was destroying the confidence of many nations in that organ". For these reasons, "the Soviet proposal was looked upon with some scepticism".<sup>101</sup>

Article 79 of the Charter required trusteeship arrangements to be approved by the "states directly concerned" as well as by the United Nations. The United States originally insisted upon this phrase during the San Francisco Conference to give herself a voice in the disposition of the League mandates in general and to help secure her hold over the Japanese mandates islands in particular. The Soviet Union maintained that as one of the "Big Five", it was directly concerned with all trusteeship arrangements. Neither the United States nor the administering powers were prepared to agree to what, in effect, would be a Soviet "veto" on all trusteeship agreements, especially with the early onset of the cold war. The Americans by-passed the Soviet objections by successfully

sponsoring a resolution by which the General Assembly would approve the trusteeship agreements "without prejudice to future determination of the 'states directly concerned'".<sup>102</sup> The Soviet Union continued to contend that the trusteeship agreements were illegal, but all eight of them were approved by the General Assembly on December 13, 1946.<sup>103</sup>

The complex and tortuous series of events whereby Somaliland was placed under trusteeship also illustrates the American inclination to place self-interest first regarding colonial problems.<sup>104</sup> One reason why the United States supported the Italian claim to the Somaliland trusteeship was the importance of the Italian vote in New York to the Democrats in the 1948 presidential election. The believed strategic importance of the former Italian colonies was another important consideration. At the Potsdam Conference in July 1945 the Soviet Union had expressed an interest in having the trusteeship of one of the ex-Italian colonies. Although the State Department itself favoured Italian trusteeship, the new Secretary of State, James Byrnes, proposed a collective trusteeship with the United Nations as the administering authority; a "trusteeship established solely to assist the inhabitants of the colonies to develop the capacity for self-government so that the people might be granted independence".<sup>105</sup>

By the summer of 1948, however, the realities of power were such that the interests of the inhabitants of the colonies received a lower priority. The United States now advocated Italian trusteeship for Somaliland, while the Soviet Union favoured a collective United Nations trusteeship. The matter was eventually settled in accordance with American wishes in December 1950 when the General Assembly decided that Italy (not then a United Nations member) should have the trusteeship of Somaliland for a ten year period. To quote George Thullen, the whole episode illustrates that "both the United States and the Soviet Union, while professing anti-colonialism, demonstrated that

where national interests considered vital were involved, they did not hesitate to place strategic considerations before safeguarding trust peoples' rights and well being".<sup>106</sup>

(b) The United States and Micronesia

Within congressional and military circles there remained demands for American annexation of the Japanese mandated islands despite the San Francisco compromise and statements by Edward Stettinius and others that the trusteeship provisions of the United Nations Charter safeguarded the United States' control over the islands.<sup>107</sup> For example, at a meeting called by President Truman in October 1946, Admiral Chester Nimitz, speaking as Chief of Naval Operations, argued "that the sovereignty of the ex-Japanese mandates should be taken by the United States":

"the ultimate sovereignty of the United States depends in major part on our ability to control the Pacific Ocean, that these islands are part of the complex essential to that control, and that the concept of trusteeship is inapplicable here because these islands do not represent any colonial problem nor is there economic advantage accruing to the United States through their ownership."<sup>108</sup>

When President Truman announced in November 1946 that a trusteeship agreement would be submitted for the mandated islands, it was made clear that if the United Nations did not accept the arrangements as proposed by the United States, the islands would still remain under American control. The draft trusteeship agreement was discussed by the Security Council in February-March 1947, and accepted on April 2. Despite objecting to the agreement, there was no Soviet veto;<sup>109</sup> in fact, the Security Council voted unanimously for approval.

The debate on the trusteeship agreement provides further evidence of the limits on American anti-colonialism where the United States' own interests were concerned.<sup>110</sup> The Americans accepted a Soviet amendment to add "independence" to the goal of self-government, but otherwise made few concessions. There was to be no 'open door', despite the United States long-standing criticisms of believed European

closed colonial doors and her arguments during the discussions on the earlier trusteeship agreements. She did agree to delete the phrase "as an integral part of the United States" from Article 3 of the agreement, but United States laws could be applied as appropriate. Article 9, moreover, stated that the United States "shall be entitled to constitute the trust territory into a customs union, fiscal or administrative union or federation within the territories under United States jurisdiction, or to establish common services between such territories and the trust territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this agreement". Indeed, there was "the most complete Imperial Preference"<sup>111</sup> in the right of the United States under Article 8 to grant her nationals and companies more favourable economic treatment than those of other countries.

The degree of international accountability which the United States had insisted upon for the non-strategic trusts, was muted if not absent from the American draft agreement. In particular, "The provisions of Articles 87 and 88 of the Charter shall be applicable to the trust territory provided that the administering authority may determine the extent of their applicability in any areas which may from time to time be specified by them and closed for security reasons". In effect, nothing could be done without the consent of the United States. Article 15 of the draft trusteeship agreement read that its terms "shall not be altered, amended or terminated without the consent of the administering authority". The Americans firmly rejected a Soviet proposal that, "the terms of the present agreement may be altered, supplemented, or terminated by decision of the Security Council". Overall, the principle of international accountability was so diluted that Micronesia as the former Japanese mandated islands came to be called, was annexed by the United States in all but name.

The American administration of Micronesia (the Caroline, Marshall, and Mariana island groups) at first definitely placed United States security interests before the welfare of the native inhabitants. The latter was relatively neglected until after 1960, although the United States did follow the institutional precepts of international accountability to a greater degree than might have been expected in view of the original strong pressures for actual American annexation of the islands. Originally the islands were administered by the American Navy, but in 1951 all of them except for Saipan and Tinian in the Marianas, were transferred to the Department of the Interior; in 1962 the latter also assumed responsibility for Saipan and Tinian. The United States' intention to absorb the islands into her security system was made very clear from the beginning. "The problem of Japanese settlers... was solved quite summarily", the American authorities "just shipped them all home".<sup>112</sup> Military installations were constructed, tight security precautions maintained, and some islands used for atomic tests. At first, the United States limited "access to the territory to Americans with security clearance", restricted "the travel of Micronesians outside the territory", and discouraged "American investment in the area".<sup>113</sup> There were closed areas such as the Bikini and Eniwetoka atolls where atomic tests were carried out, which unauthorised persons were not allowed to visit.

At first the islands were relatively neglected in economic terms. In fact, some commentators otherwise favourable to the American administration, felt it "regrettable" that there was "a tendency among keepers of the United States Congressional purse-strings to be niggardly in providing adequate funds for the Trust Territory Administration for the development of the native economy and for cultural progress".<sup>114</sup> Another factor inhibiting material progress was the geographical nature of the islands. Micronesia "covers some 3 million square miles of the Western

Pacific Ocean, situated above the Equator, north of Australia, east of the Philippines and north-east of Indonesia. It embraces more than 2,000 islands and islets, lying in three major archipelagos."<sup>115</sup> Many of the islands are sparsely populated or uninhabited, and even in 1990 the total population ~~was~~ still probably less than a quarter of a million.

The Americans did more for Micronesia's economic development after 1960; in part as a response to criticism in the Trusteeship Council and the greater intensity of the "United Nations spotlight"<sup>116</sup> following the General Assembly Declaration on Decolonisation and the establishment of the Committee of 24 in the early 1960s. In fact, in June 1961 the United States announced that the essential elements of the 1960 Declaration were applicable to Micronesia. The islands continue to rely on American subsidies (still limited, although more generous than in the 1950s), but have developed their agricultural, fishing and tourism (especially from Japan) sectors; the latter being the main source of income. Neither the tourism or fishing sectors could be developed before the 1960s when American security interests (including atomic bomb tests) were paramount.

As American security interests in the islands waned, the pace of their political development increased. In the 1950s, they were administered from Guam, outside the trust territory, and the only real representative institution was an 'Inter-District Advisory Committee' whose members were appointed by the American High Commissioner. By the early 1960s, however, more representative institutions were developed including an attempt to foster self-government at the grass roots level. In particular, "in 1962, Washington put the entire Trust Territory under civil administration, moved its headquarters within the territory (to Saipan), more than doubled the annual congressional appropriation for the islands, and reversed an earlier policy of discouraging private investment and development".<sup>117</sup> Representative

political institutions were developed to a point whereby the native inhabitants could decide on their own constitutional future.

Complete independence has never been a practical goal; nor has statehood within the North American federal union. The only viable political future lay with some sort of free association with the United States. The first step in this direction came in June 1975 when the Northern Mariana Islands voted in a United Nations observed plebiscite to establish a Commonwealth in Union with the United States. Differences among the inhabitants of Micronesia have resulted in its being divided into four constituent governments; the Republic of the Marshall Islands, the Republic of Palau, the Federated States of Micronesia (Yap, Truk, Pohnpei and Kosrae), and the Commonwealth of the Northern Mariana Islands. All four have local autonomy and voluntary organic links with the United States; approved in United Nations-observed plebiscites. The United States still reports to the Trusteeship Council because the future position of Palau is not yet clarified.<sup>118</sup> Once it is clarified, the United Nations trusteeship machinery as such will be superfluous. Palau itself has a population of about 15,000.

On the whole the United States conscientiously fulfilled the institutional aspects of its commitment to international accountability for the trusteeship of Micronesia. Washington reported regularly to the Trusteeship Council and responded to its constructive criticisms, although refusing to accept that the Committee of 24 had any authority over American conduct of the trusteeship.<sup>119</sup> The reports have been passed to the Security Council where normally no action is taken. There have been regular Trusteeship Council visiting missions to Micronesia; relatively unhindered apart from some areas being closed to them because of atomic tests in the early 1950s. The United States has also allowed oral and written petitions to the Trusteeship Council from the native inhabitants on relatively minor matters like land claims<sup>120</sup>

or more serious ones such as that from the Marshall Islands on radioactive fall-out from the hydrogen bomb explosion at Bikini in March 1954 where Washington might have sheltered behind the shield of national security.<sup>121</sup>

It is with regard to the atomic tests, however, that the United States can be criticised for betraying the spirit if not the letter of its trusteeship. These tests were devastating on the areas of Micronesia involved. For example, regarding the Bikini test, in 1979, twenty-five years after the explosion, the Trusteeship Council was still "deeply concerned about the plight of the displaced populations, particularly those of Bikini Island" and noted "that it would be another 30 to 60 years before Bikini would be safe for agricultural purposes".<sup>122</sup> It is difficult to see how atomic and hydrogen bomb tests accord with the United States obligation under Article 76 of the Charter to promote the best interests of the native inhabitants!

(c) Political Information and the Division between Trust and Non-Self-Governing Territories

From its first meeting, the Fourth Committee of the General Assembly was used by the anti-colonial powers to attack Western European colonialism. In particular, they employed their ever-increasing numerical majority in the Assembly to endeavour to elicit political information on non-self-governing territories and to extend the United Nations authority regarding all colonial dependencies by bridging the Charter's constitutional gap between non-self-governing and trust territories. The United States often sided with Great Britain and the other Western European colonial powers in their resistance to the anti-colonial pressure. In particular, a jealous regard for her sovereign prerogatives was such that like them, she often retreated into the defence that under Article 2(7) of the Charter the issue in question was a matter of domestic jurisdiction. At the same time, however, the United States tended to sympathise with the more

moderate anti-colonial objectives and, as with the consideration of the original trusteeship agreements, to play a conciliatory yet constructive role. On institutional issues, moreover, she was much more inclined than the European colonial powers to extend the limits of international accountability.

With regard to the Charter obligation under Article 73(e) to submit information on non-self-governing territories to the Secretary General of the United Nations, the "United States was the first nation to comply". On August 19, 1946, she "submitted reports on conditions in Alaska, American Samoa, Guam, Hawaii, the Panama Canal Zone, Puerto Rico, the Virgin Islands, and colonial possessions in the Pacific".<sup>123</sup> The American understanding of the term non-self-governing territory was a broad one in that under Chapter XI of the Charter it appeared "to apply to any territories administered by a member of the United Nations which do not enjoy the same measure of self-government as a metropolitan area of that Member".<sup>124</sup> Washington ceased to submit information on the Canal Zone after Panama protested that it retained sovereignty despite American administration, on Puerto Rico in 1953 after it became a commonwealth associated with the United States, and on Hawaii and Alaska in 1959 when they achieved statehood in the North American federal union. The anti-colonial powers, however, called upon the United States to re-submit information on Puerto Rico as they continued to regard it as a colony.<sup>125</sup> The American position, supported by the European colonial powers, was that it was for the administering power "to determine the constitutional position and the status of any particular territory under its sovereignty".<sup>126</sup>

The United States supported the European colonial powers at the San Francisco Conference in resisting a requirement to submit 'political' information under the Declaration on Non-Self-Governing Territories. Both before and during the Conference, however, it was intimated that she was not

opposed in principle to submitting such information on a voluntary basis. The "Standard Form for the Guidance of Members in the Preparation of Information to be Transmitted under 73(e) of the Charter" drawn up in 1947, was based on an American initiative. The United States suggested an "optional category" embracing general information on the government, history and people of a territory; under social conditions there were provisions relating to human rights and race relations. It was on this voluntary basis that by 1949, the United States along with Australia, Denmark and the Netherlands transmitted political information under Article 73(e). Great Britain only grudgingly accepted the Standard Form, and did not submit constitutional and political information even as a voluntary act until 1961.

The United States also played a constructive, moderate role in establishing institutional machinery to consider information submitted under Article 73(e).<sup>127</sup> The United States supported the General Assembly's setting up of the Ad Hoc Committee on Information transmitted under Article 73(e) in December 1946; the Ad Hoc Committee consisted of sixteen members equally divided between states submitting information and those who did not. Along with the European colonial powers, however, she used her influence to make it clear that the Ad Hoc Committee did not have the status of an organ of the General Assembly. The European colonial powers, unlike the United States, disliked the very principle of such machinery. They maintained that it was a constitutional innovation designed to act as a "parallel to the Trusteeship Council", and succeeded in limiting its duration to one year. It was renewed for one year periods in 1947 and 1948.

In 1949, however, the United States supported the anti-colonial powers in establishing it as a Special Committee for a three year period despite the determined opposition of Belgium, France, Great Britain and South Africa who argued that it violated the spirit of Chapter XI of the Charter. Their threat not to participate in its work, helped to defeat

an attempt to establish it on a more permanent basis. In 1952, the United States played a leading role in having the word "Special" dropped from the Committee's title and favoured its automatic renewal for three year periods as required. The latter proposal was defeated by the efforts of Belgium, France and Great Britain. With American support the Committee on Information under Article 73(e) continued to be renewed for three year periods until dissolved by the General Assembly in December 1963 when its functions were transferred to the Committee of 24 on the Implementation of the Declaration on Decolonization. Overall, it was probably only due to American efforts that the principle of international accountability was extended by establishing the Committee on Information in such a way that the European colonial powers at least gave some support to the Committee although vehemently opposing the principles on which it was based.

The United States at first, however, joined with the European colonial powers in opposing the more radical measures to bridge the gap between the Charter's provisions for non-self-governing and trust territories. For example, along with them, she opposed General Assembly Resolution 850 (IX) of November 1954 providing for a visiting "mission, if the General Assembly deems it desirable" and "in agreement with the Administering Member" to a "Non-Self-Governing Territory before or during the time when the population is called upon to decide on its future status or change in status".<sup>128</sup> The United States, under British pressure, also abstained from voting on the Declaration on the Granting of Independence to Colonial Countries and Peoples of December 1960. Some members of the American delegation such as Senator Wayne Morse, strongly sympathised with the Declaration's anti-colonial sentiments.<sup>129</sup> The United States did vote for the General Assembly Resolution of November 1961 establishing a Special Committee to report on its implementation. The November 1961 resolution received an affirmative vote of 97 to 0; France, Great Britain, South

Africa, and Spain, abstained, while Portugal did not participate in the voting.

In many respects, and certainly so far as this thesis is concerned, the December 1960 Declaration and the establishment of the Special Committee to report on its implementation, marked the success of the anti-colonial endeavours to bridge the gap between trust and non-self-governing territories in the Charter. There is much truth in David Wainhouse's observation that "although the United Nations has provided a sounding board for militant anti-colonialism, the militancy has generally been tempered in the process of debate, negotiation, and drafting of resolutions".<sup>130</sup> Moreover, "on balance, the colonial revolution has probably been more peaceful because of United Nations involvement".<sup>131</sup> Much of the credit for this must go to the United States, particularly so far as institutional developments are concerned. American diplomacy moderated many of the more radical anti-colonial demands.<sup>132</sup> Perhaps of even greater significance was the encouragement the United States gave to the European colonial powers to proceed further along the path towards international accountability than they actually desired. In this respect, at least the United States lived up to its anti-colonial tradition.

## Footnotes

1. Richard Kozicki, "The United Nations and Colonialism", in Robert Strausz-Hupe and Harry Hazard (eds.), The Idea of Colonialism (London, 1958), p. 405.
2. See General Assembly Resolution 1514(XV), adopted on December 14, 1960; and General Assembly Resolution 1654(XVI), adopted on November 27, 1961. The Special Committee originally consisted of 17 members nominated by the President of the General Assembly, but in December 1962 was expanded to 24. See General Assembly Resolution 1810(XVII), adopted on December 17, 1962.
3. The "Big Five" were the states given permanent seats on the Security Council; China, Great Britain, the United States, and the USSR were "Sponsoring Powers" of the San Francisco Conference, while France was invited to participate in the deliberations after the Yalta Conference. For further details see State Department Bulletin, Vol. XII (1945), pp. 214 and 394.
4. Ruth Russell and Jeannette Muther, A History of the United Nations Charter (Washington, 1958), p. 808. Chapter XXXI provides an excellent guide to administrative arrangements and the various trusteeship proposals and the debate on them at the San Francisco Conference.
5. James Murray, The United Nations Trusteeship System (Urbana, 1957), p. 31.
6. Ibid., p. 32.
7. Ruth Russell, The United Nations and United States Security Policy (Washington, 1968), p. 31.
8. George Thullen, Problems of the Trusteeship System (Geneva, 1964), p. 50.
9. The other members of the delegation were Secretary of State Stettinius (Chairman), former Secretary of State Cordell Hull (Senior Adviser) who did not attend because of illness, and Virginia Gildersleeve, Dean of Barnard College.

10. The words of Senator Byrd. See the New York Times, May 4, 1945. Quoted in R. N. Chowdhuri, International Mandates and Trusteeship Systems (The Hague, 1955), p. 43.
11. See Charter of the United Nations: Report to the President on the results of the San Francisco Conference by the Secretary of State, June 26, 1945, pp. 130-31.
12. The various official proposals on dependent peoples are contained in United Nations Conference on International Organisation (UNCIO), Documents, Vol. III. They are compared and summarised in pp. 704-707. A more detailed analysis of the papers presented by Australia, China, France, Great Britain and the United States together with the comments of other states are contained in UNCIO, Vol. X, Doc. 230, II/4/5, pp. 641-655; the Soviet proposals are contained in Ibid., Doc. 324, II/4/5(a), pp. 671-673. The proposed working paper itself is contained in Ibid., Doc. 323, II/4/12, pp. 677-683.
13. William Roger Louis, Imperialism at Bay (London, 1977), p. 522.
14. UNCIO, Vol. X., Doc. 324, II/4/5(a), p. 671.
15. The United Nations Trusteeship System, op. cit., p. 38.
16. UNCIO, Vol. X, Doc. 230, II/4/5, p. 643.
17. Richard Kozicki's summary; see The Idea of Colonialism, op. cit., p. 389.
18. UNCIO Vol. III, Doc. 2, G/26:(d), p. 609.
19. Lord Cranborne's arguments as summarised in A History of the United Nations Charter, op. cit., p. 815.
20. Ibid.
21. UNCIO, Vol. III, Doc. 2, G/14(V), p. 599; and Doc. 2, G/26(C), p. 607.
22. Memorandum by Leo Pasvolsky to Edward Stettinius, dated January 13, 1945. See Foreign Relations of the United States, 1945, The United Nations, p. 19.
23. Ibid., pp. 792-3.
24. The Idea of Colonialism, op. cit.

25. 45th meeting of the American delegation, May 18, 1945. See Foreign Relations of the United States, 1945, The United Nations, op. cit., p. 793.
26. Ibid., p. 794.
27. Ibid., p. 793 and p. 796.
28. Ibid., p. 795.
29. Ibid., p. 794.
30. Ibid., p. 795.
31. Ibid., p. 794.
32. Ibid., p. 796.
33. Ibid., p. 1055.
34. Ibid., p. 1168.
35. The San Francisco deliberations on the "Declaration Regarding Non-Self-Governing Territories" are ably summarised in, A History of the United Nations Charter, op. cit., pp. 813-824.
36. The Australian trusteeship proposal also opened with a brief statement of general principles on administering non-self-governing peoples. Apart from a significant reference to "political development", it was similar to the British proposal. See UNCIO, Vol. III, p. 548.
37. Ibid., p. 609, for the exact wording of the British proposal.
38. Foreign Relations of the United States, 1945, The United Nations, pp. 1390-91.
39. A History of the United Nations Charter, op. cit., p. 818.
40. Ibid.
41. Ibid., pp. 818-9.
42. Foreign Relations of the United States, 1945, The United Nations, op. cit., p. 320.
43. Ibid., p. 1418.
44. Ibid., p. 1279.

45. Ibid., p. 1206.
46. Ibid., p. 1418.
47. Ibid., p. 1279.
48. A History of the United Nations Charter, op. cit., p. 820.
49. Emil Sady, The United Nations and Dependent Peoples (Washington, 1956), p. 24. He goes on to point out that the Conference also "neither defined precisely the term 'non-self-governing territories' nor specified criteria for determining when a territory is, or ceases to be 'non-self-governing'"; Ibid., pp. 24-5. The debate within the American delegation on these points was vague and inconclusive.
50. The American trusteeship proposals for the San Francisco Conference were outlined and discussed at the end of Chapter 6. They are reproduced in UNCIO, Documents, Vol. III, pp. 607-8; Doc. 2, G/26(C). The Working Paper itself is contained in UNCIO, Documents, Vol. X, pp. 677-683; Doc. 323, II/4/12.
51. UNCIO, Documents, Vol. X., p. 429.
52. Foreign Relations of the United States, 1945, The United Nations, op. cit., p. 318.
53. Ibid.
54. Ibid., p. 317.
55. The annexationist pressures are a constant theme in the diaries of James Forrestal. See Walter Millis (ed.), The Forrestal Diaries (New York, 1951).
56. The New York Times, November 8, 1946. Cited in Problems of the Trusteeship System, op. cit., p. 58.
57. For a useful comparison of the American and the other draft trusteeship proposals, the formulation of the Working Paper and its consideration at San Francisco, see Charmain E. Toussaint, The Trusteeship System of the United Nations (London, 1956); especially pp. 20-43. Another useful study is James Murray, The United Nations Trusteeship System, op. cit., pp. 33-45.
58. Problems of the Trusteeship System, op. cit., p. 46.
59. UNCIO, Documents, Vol. III, pp. 612-13.

60. A History of the United Nations Charter, op. cit., p. 834.
61. Ibid.
62. Foreign Relations of the United States, 1945, The United Nations, op. cit., pp. 448-451.
63. Imperialism at Bay, op. cit., p. 526.
64. See A History of the United Nations Charter, op. cit., p. 836.
65. Ibid., p. 833.
66. The words of Leo Pasvolksy. See Foreign Relations of the United States, 1945, The United Nations, op. cit., p. 446.
67. Ibid., p. 687.
68. A History of the United Nations Charter, op. cit., p. 824.
69. Ibid., p. 836.
70. Ibid., pp. 836-7. See also UNCIO, Documents, Vol. X, pp. 601-02, and 620-21.
71. Ernst Haas, "The Attempt to Terminate Colonialism: Acceptance of the United Nations Trusteeship System", International Organisation, Vol. 7, 1953, p. 9.
72. UNCIO, Documents, Vol. III, p. 607.
73. A History of the United Nations Charter, op. cit., p. 827.
74. The United Nations Trusteeship System, op. cit., p. 34.
75. British comments upon the American "open door" clause during the fourth meeting of Committee II/4, May 14, 1945. See UNCIO, Documents, Vol. X, p. 440.
76. Imperialism at Bay, op. cit., p. 529.
77. A History of the United Nations Charter, op. cit.
78. UNCIO, Documents, Vol. III, p. 600.
79. Ibid., p. 610.

80. The words of Leo Pasvolosky; see Foreign Relations of the United States, 1945, The United Nations, p. 845. Harold Stassen undertook to "seek to get agreement on a two-thirds majority", but nothing more was heard of the matter.
81. Problems of the Trusteeship System, op. cit., p. 47.
82. A History of the United Nations Charter, op. cit., pp. 839 and 841.
83. UNCIO, Documents, Vol. III; in particular, see paragraphs 10 and 11 of the proposals.
84. The phrase of Richard Kozicki; see The Idea of Colonialism, op. cit., p. 391.
85. Foreign Relations of the United States, 1945, The United Nations, p. 656.
86. Ibid., p. 686. My italics; the words of Harold Stassen.
87. UNCIO, Documents, Vol. X, p. 545.
88. The United Nations and United States Security Policy, op. cit., p. 33. Dr. Russell used the phrase regarding the "principle of equal rights and self-determination of peoples", but it is also applicable to the constitutional provisions of the trusteeship system.
89. United Nations, Official Records, Sub-Committee of the Fourth Committee, Trusteeship, General Assembly. Part II, 15 November to 10 December 1946; Submission of the Original Trusteeship Agreements, p. 30. Hereafter cited as Sub-Com on OTA.
90. Ibid., p. 35.
91. The three not considered were those for Micronesia, Nauru and Somaliland.
92. The United Nations Trusteeship System, op. cit., p. 56. Chapter 3 of this book contains a very good examination of the technicalities surrounding the setting up of the trusteeship system and the submission of the original trusteeship agreements; see pp. 46-78.
93. Ibid., p. 59.
94. Sub-Com on OTA, op. cit., p. 11. My italics.

95. Ibid., p. 125.
96. Ibid., p. 141.
97. The United Nations Trusteeship System, op. cit., p. 67.
98. The United Nations and Dependent Peoples, op., cit., p. 124.
99. Provisions of the Western Samoan draft trusteeship agreement. See United Nations Document A/160, p. 6.
100. The United Nations and Dependent Peoples, op. cit., pp. 124-5.
101. Sub-Com on OTA, op. cit., p. 67.
102. Ibid., p. 201.
103. For the approved texts of the agreements, see United Nations, General Assembly, First Session, Second Part, Official Records, Supplement No. 5.
104. James Murray provides a very good account of the Somaliland trusteeship question in The United Nations Trusteeship System, Chapter Four, "Former Italian Somaliland", pp. 79-116. See also Benjamin Rivlin, "The Italian Colonies and the General Assembly", International Organization, Vol. 3, 1949, pp. 459-470.
105. James Byrnes, Speaking Frankly (London, 1947), pp. 92-93.
106. Problems of the Trusteeship System, op. cit., p. 59.
107. For example, see Edward Stettinius' statement of May 28, 1945; State Department Bulletin, June 3, 1945, p. 1010.
108. The Forrestal Diaries, op. cit., p. 213.
109. George Thullen argues that this was to avoid provoking a discussion on the Kuriles-Sakhalin issue. See Problems of the Trusteeship System, op. cit. It could also be argued, however, that the Russians were making the best of a poor position. If they had vetoed the draft agreement, the United States would have still kept the islands and not put them under trusteeship. This would have given the Russians no say whatsoever in the islands future.

110. For the provisions of the draft trusteeship agreement, see United Nations Document S/281.
111. The phrase of W. Arnold Forster. See his article "Trusteeship or Annexation", The New Statesman, April 5, 1947. His article provides a very good critique of the American trusteeship arrangements for Micronesia. For details of the Security Council debate, see Security Council, Official Records for the period February 17 to April 2, 1947.
112. Sherman Hayden, "The Trusteeship Council: Its First Three Years", Political Science Quarterly, Vol. 66, 1951, p. 243.
113. David Wainhouse, Remnants of Empire. The United Nations and the End of Colonialism (New York, 1964), p. 117.
114. Harold Wiens, Pacific Island Bastions of the United States (New York, 1962), p. 105.
115. United Nations Press Release, TR/2158, June 15, 1979, p. 2.
116. Ruth Russell's phrase; see The United Nations and United States Security Policy, op. cit., p. 241.
117. Ibid., p. 242.
118. For details of the "Palau" problem, see Report of the United States Department of the Interior to the Trusteeship Council, 1987, Part I, p. 4.
119. This aspect is considered by William Miller in "The United Nations and Oceania", Chapter 1, in Wm. Roger Louis (ed.), National Security and International Trusteeship in the Pacific (Annapolis, 1972), pp. 3-18.
120. For an examination of an oral petition regarding a land claim, see Harold Karan Jacobson, "Our 'Colonial' Problem in the Pacific", Foreign Affairs, Vol. 39, 1960/61, p. 65.
121. For an examination of a written petition regarding the Bikini atomic tests, see The United Nations and Dependent Peoples, op. cit., pp. 137-8.
122. United Nations Press Release, June 15, 1979, op. cit., p. 4.
123. Edwin Arnold, "Self-Government in United States Territories", Foreign Affairs, July 1947, p. 655-6.

124. United Nations General Assembly, Non-Self-Governing Territories, Transmission of Information of Members Under Article 73(e), Doc. A/74 (October 21, 1946), p. 19.
125. For an examination of the anti-colonialist arguments in the Puerto Rican case, see The United Nations and Dependent Peoples, op. cit., pp. 98-102.
126. See United Nations Document, A/AC.35/SR-44, p. 22. Cited in Yassin El-Ayouty, The United Nations and Decolonization: The Role of Afro-Asia (The Hague, 1971), p. 157. The statement was made in 1951, but contains the essentials of the American attitude to the cessation of information under Article 73(e) of the Charter.
127. An excellent account of the tortuous history of the Committee on Information from Non-Self-Governing Territories is provided by Yassin El-Ayouty's The United Nations and Decolonization, Part II, "The United Nations' Method of Organization for Dealing with the Non-Self-Governing Territories", pp. 67-141.
128. No mission was sent until the one to the Cook Islands, April-May 1965.
129. According to Ruth Russell, "Later in the session, the United States announced that it had changed its position and wished to be associated with the declaration". See The United Nations and United States Security Policy, op. cit., p. 255, fn. 70.
130. Remnants of Empire, op. cit., p. 5.
131. Harold Jacobson, "The United Nations and Colonialism: A Tentative Appraisal", International Organisation, Vol. XVI, 1962, p. 55.
132. Great Britain and the United States were original members of the Special Committee of 24 on Decolonisation and did not prevent visiting missions from the Committee to some of their non-self-governing territories; for example, in 1977, there was a mission to the United States Virgin Islands and in 1981, to American Samoa. In the 1980s, however, both countries decided not to serve any more on the Committee of 24.

Chapter 8 : The United States and International  
Accountability : An Overall Assessment

This thesis set out to examine the American anti-colonial tradition's role in establishing the principle of international accountability for dependent people regarding the creation of the League mandates system as set out in Article 22 of the Covenant and the United Nations trusteeship system as laid down in Chapters XI, XII and XIII of the Charter. Throughout, the official attitudes and actions of the United States were compared to those of Great Britain, the foremost European colonial power. This chapter draws together all the thesis arguments and assesses the overall part played by American anti-colonial sentiments in institutionalising international accountability for dependent peoples. It is a brief assessment as most of the other chapters had their own concluding judgements on the material discussed in them.

Chapter 2 examined colonial relationships and the American anti-colonial tradition. The implications of the fact that the tradition derived from the War of Independence against the England of George III were emphasised as was the resulting sentimental sympathy which the United States has usually shown to dependent peoples endeavouring to throw off the chains of colonial bondage. To reiterate, the anti-colonial tradition has three basic precepts: first, that colonialism was a moral wrong in itself; second, that it led to international instability through the efforts of dependent people to obtain their independence; and third, that it hindered world commerce because of the 'closed' colonial door. Where anti-colonial sentiment conflicted with the dictates of American national interests, however, the former was almost always sublimated in the interests of the latter.

American anti-colonialism, moreover, did not imply that the United States believed that dependent peoples were necessarily equipped to rule themselves. Indeed, until

comparatively recently, the innate American and European feeling that non-whites were inferior to whites, was such that the American view was that independence for non-whites could best be achieved only after a period (sometimes of many years) of learning how to rule themselves. For example, Franklin Roosevelt and Cordell Hull "always advocated systematic preparation for independence".<sup>1</sup> American suspicions of Great Britain and the other European colonial powers, however, were such that the United States favoured this preparatory training being undertaken with at least a degree of international accountability.

Chapter 3 examined the two principal aspects of international accountability for dependent peoples; the sacred trust principle and institutional machinery within an international context to ensure that the colonial powers lived up to their obligations. The Chapter also demonstrated that although many of the precepts of international accountability originated within European experience, it was American commitment which ensured their establishment in both the League mandates and the United Nations trusteeship systems. In particular, whereas the European metropolises usually emphasised only their responsibility to both their dependent peoples and the international community for the conduct of their administration, the United States wished to give that responsibility teeth by providing institutional measures to make them actually accountable in practice as well as in theory.

The details of the official American attitudes and blueprints for establishing the League and the United Nations systems of international accountability were examined in Chapters 4, 5, 6 and 7. It was shown that the Roosevelt Administration spent much more time and effort on what eventually became Chapters XI, XII and XIII of the Charter than the Wilson Administration did with the League mandates system. During the First World War, the United States did relatively little systematic planning at the official level

in developing the ideas and principles eventually embodied in Article 22 of the Covenant. American policy stands were conceived primarily in response to initiatives by the British Empire and to circumvent unrestricted Japanese control of the former German islands in the North Pacific. Although Franklin Roosevelt was a more committed anti-colonialist than Woodrow Wilson, the latter played a more dominant role in formulating the League mandates system than the former did regarding the United Nations trusteeship system. At the Paris Peace Conference, the actual American proposals were largely the work of President Wilson and his personal advisors; the State Department as such played only a minimal role.

Woodrow Wilson's by-passing of his Secretary of State Robert Lansing on matters relating to self-determination, colonialism and other issues, <sup>to some extent</sup> had its parallel in the Second World War. Up to his resignation at the end of 1943, Under Secretary of State Sumner Welles was closer to and more reflective of President Roosevelt's views on the future of dependent peoples and other problems than was Secretary of State, Cordell Hull. Sumner Welles for a long time "had continued to vex Hull by his independent dealings with the White House and foreign envoys".<sup>2</sup> Cordell Hull, however, unlike Robert Lansing who did not agree with President Wilson over self-determination, was in accord with President Roosevelt in his dislike of colonialism, but had a more practical attitude which stressed the need to cooperate with the Western European colonial powers, especially Great Britain.

Unlike the Second World War, during the First World War there were no dramatic clashes between the State, Navy and War Departments over American acquisition of strategic bases in the Pacific. By the time the United States entered the war in 1917, Japan and the British Dominions had already occupied the German Pacific islands which the American military authorities would have liked to control. In the

Second World War, however, the United States was in a much stronger position militarily and politically. It was American troops who actually conquered the Japanese mandated islands; islands which the Navy and War Departments were determined to retain. "The price that the United States had paid for the former mandated islands of Micronesia in blood, labour and treasure was too high and the islands too valuable strategically to be relinquished by the United States in the foreseeable future."<sup>3</sup> In so far as strategic requirements were involved, the American anti-colonial tradition became an irrelevance, at least in the eyes of the American military and their sympathisers.

In part the differences between the State and Navy and War Departments over trusteeship and the future of the Japanese islands mandate were aggravated because his advisers were not absolutely certain of President Roosevelt's preferred options. His advisers thought they knew his mind, but had differing perceptions of it. Dean Acheson ably summed up the general consequences of President Roosevelt's chameleon-like qualities:

"President Roosevelt has been praised for a supposedly deliberate secrecy in consultation and vagueness in decision that left policy fluid, relationships uncertain, and great freedom of manoeuvre for the President. In the currently fashionable phrase, his constant purpose was 'to keep his options open'. Flexibility in manoeuvre may be highly desirable in certain circumstances, but when it leaves one's own and friendly forces and commanders uncertain of the nature and purpose of the operation or of who has responsibility for what, it can be a handicap. Machiavelli was writing advice for weak princes."<sup>4</sup>

Great Britain and the United States' other allies played much more important roles in the First than in the Second World Wars. The Paris peace settlement and the League of Nations itself were largely concerned with European affairs. Lloyd George and Clemenceau were at least as important as Woodrow Wilson in determining the overall outcome of the Paris Peace Conference. Negotiations on the postwar settlement between the United States and Great Britain and

France did not become intensive until after the war was over with President Wilson's visits to London and Paris at the end of 1918 and the beginning of 1919. There were earlier wartime exchanges of views and high-level transatlantic missions, but attempts to work out agreed policies only began seriously when President Wilson was in Europe. Chapter 4 demonstrated the crucial importance of Woodrow Wilson in creating the League mandates system. He took General Smuts' concept of mandates for settling central and Eastern Europe, and translated it into a device for disposing of the German and Turkish dependencies; an innovation in line with the ideas of some of his advisers like George Louis Beer. The territories under mandate were not to have self-determination in the foreseeable future, but they were not annexed outright as the British Dominions at least desired. In fact, there might well have been no League mandates system if it had not been for the determination (and obstinacy) of President Wilson. Unfortunately, in part because of the United States' failure to join the League and have <sup>Americans</sup> <sup>servings</sup> on the Permanent Mandates Commission, the mandates became colonies in all but name. The efforts of Woodrow Wilson, however, had at least enshrined the principle of international accountability for some dependent peoples among the objectives of the first world organisation for promoting international cooperation.

During the Second World War, the United States dominated both Allied military strategy and planning for the new United Nations Organisation. France was occupied by Nazi Germany and consequently unable to play a major part in Allied wartime negotiations despite the strenuous efforts of Charles De Gaulle personally. Once she entered the war after the attack on Pearl Harbour in December 1941, the United States rapidly obtained the dominant position in her alliance with Great Britain. The latter's diplomatic leverage was weakened by 1945 by huge overseas debts (for the time) of over £3,000 million and a massive balance of payments deficit.<sup>5</sup> Great Britain suffered a relative decline in power compared with

the United States and the Soviet Union; both of whom were ideological and practical opponents of Western European colonialism.

During the Second World War there were many more Anglo-American meetings and negotiations, formal and informal, at all levels on colonial questions and international accountability than was the case in the First World War. At the highest level, the Cairo, Teheran and Yalta conferences and the various other wartime meetings between Franklin Roosevelt and Winston Churchill had no parallel in the First World War. These meetings were primarily concerned with defeating the Axis, but in so far as they touched upon issues relating to dependent peoples, British opposition played an important part in modifying the more far-reaching American policy stands. In the opinion of Winston Churchill, American policy was "idealism at other people's expense".<sup>6</sup> Chapters 5 and 6 demonstrated the crucial importance of the various wartime Anglo-American meetings at ministerial and official level on colonial questions; particularly the part they played in modifying American plans for international accountability for the postwar administration of dependent peoples.

Another important theme running throughout the thesis is the changing perception of colonialism itself. During the First World War, the raison d'etre of European rule over non-white peoples was rarely if ever challenged in the governing circles of the European powers (apart from the Bolsheviks in Russia after the 1917 revolution), and in fact was generally regarded as a right and part of the natural order of things. This was far from being the case in the Second World War. Both the United States and the Soviet Union were committed anti-colonialists, and in Great Britain itself attitudes to colonial problems were subject to review even in traditional Conservative circles. The Japanese early wartime victories over the United States, Great Britain, France and the Netherlands further undermined the myth of white racial

superiority.<sup>7</sup> The Anglo-American Atlantic Charter Declaration of 1941 on the right of peoples to govern themselves, moreover, was widely interpreted as being applicable to non-whites as well as to whites under alien rule. Franklin Roosevelt was certainly of this view, although Winston Churchill definitely was not.

President Roosevelt's views on colonialism and international accountability were sometimes imprecise, but he was a committed opponent to the principle of colonial rule. His confidant in the State Department, Sumner Welles, at an early stage in the Second World War, drew up wide-ranging plans on international accountability to embrace all dependent peoples. As was demonstrated in Chapters 5 and 6, these were first modified by Cordell Hull and then even more curtailed by the demands of the Navy and War Departments to annex the Japanese mandated islands. The determined British opposition to extending the principle of international accountability also played a large part in modifying American plans. For example, during a visit to the United States in January 1945, the Colonial Secretary, Oliver Stanley, publicly stated that Great Britain could not share the administration of her colonies "which are ours alone. We believe that to attempt to do so would be impracticable, inefficient and undesirable. We do not want advice." The Americans should substitute the old slogan of "no taxation without representation" with a new one of "no criticism without study".<sup>8</sup>

The trusteeship proposals the Americans brought to the San Francisco Conference were concerned only with the three categories of territory decided upon at the Yalta Conference. Somewhat paradoxically, it was ~~from~~ the British San Francisco proposals that the provisions of Chapter XI of the United Nations Charter on Non-Self-Governing Territories were ~~eventually developed~~. The Americans and others, however, extended the provisions further than Great Britain and the other European colonial powers would have liked. The United

States played a moderate anti-colonial role in endeavouring to reconcile the differences between the European colonial powers and the anti-colonialist ones. Her own strategic interests were protected by her non-negotiable suggestion of the category of strategic trusts. This meant, in effect, that the United States could annex the former Japanese islands mandates in all but name. With regard to non-strategic trusts, however, the United States was primarily responsible for extending the principle of international accountability much further than the Western European colonial powers desired. In particular, it was the United States which proposed and was responsible for making the Trusteeship Council a principal organ of the United Nations and for incorporating the right of petition and visiting missions into Article 87 of the Charter.

On the whole, although protecting her own national interests, at the San Francisco Conference, the United States' anti-colonial sympathies played a constructive role in developing the principle of international accountability. John Foster Dulles' testimony to the hearings of the Senate's Foreign Relations Committee on the United Nations Charter presciently summed up both the advances made in the colonial field at the San Francisco Conference and the substantial American contribution:

"It is said that this Charter will perpetuate colonial imperialism. Well I admit that the Charter does not at a single step terminate all colonial imperialism. But I say that the greatest single step in advance that has ever been made in modern times is the fact that by this Charter every colonial power, without exception, subscribed to the proposition that the administration of colonial peoples is a sacred trust to be administered with a view to their ultimate self-government and the establishment of their free institutions.... those people who battled at San Francisco for the colonial peoples feel that, at least, this Charter is a great achievement which opens a door, such as the world has never seen before, to a liberation ultimately of the colonial dependent peoples of the world."<sup>9</sup>

Section 2 of Chapter 7 examined the role played by American anti-colonial sentiments in the submission of the original trusteeship agreements and the administration of Micronesia. Surprisingly perhaps in view of her annexationist ambitions, the United States became quite liberal regarding visiting United Nations missions to Micronesia and the submission of petitions by its inhabitants. Moderate anti-colonialism sentiments also characterised the United States attitude to the Trusteeship Council's proceedings and the attempt by the anti-colonialists in the General Assembly's Fourth Committee to bridge the constitutional gap between the Charter's provisions relating to trust and non-self-governing territories. In particular, the Americans played a conciliatory role which took the Western European colonial powers further along the path of international accountability than might otherwise have been the case. Unlike them, the United States in November 1961 voted for the Special Committee on the Implementation of the 1960 Declaration on Colonial Independence. In the thirty years since that Declaration, "59 Trust and Non-Self-Governing Territories embracing a total population of 140 million peoples", have exercised "their right to self-determination".<sup>11</sup>

The Special Committee and its functions had been foreshadowed almost twenty years earlier in the State Department's Draft Protocol on Trusteeship of October 1942 prepared under the guidance of Sumner Welles. The Draft Protocol was intended to apply to all colonies (except for those in the Western Hemisphere!), and to have the goal of eventual independence for all dependent peoples except for those who choose full self-government in association with the colonial metropole. Although subject to voluntary acceptance by the European colonial powers, Cordell Hull rejected the Protocol "for obvious reasons of political feasibility";<sup>10</sup> in particular, the European colonial powers would never have voluntarily accepted the Draft Protocol at that time. It

took almost another twenty years for Sumner Welles' original conception to come to fruition.

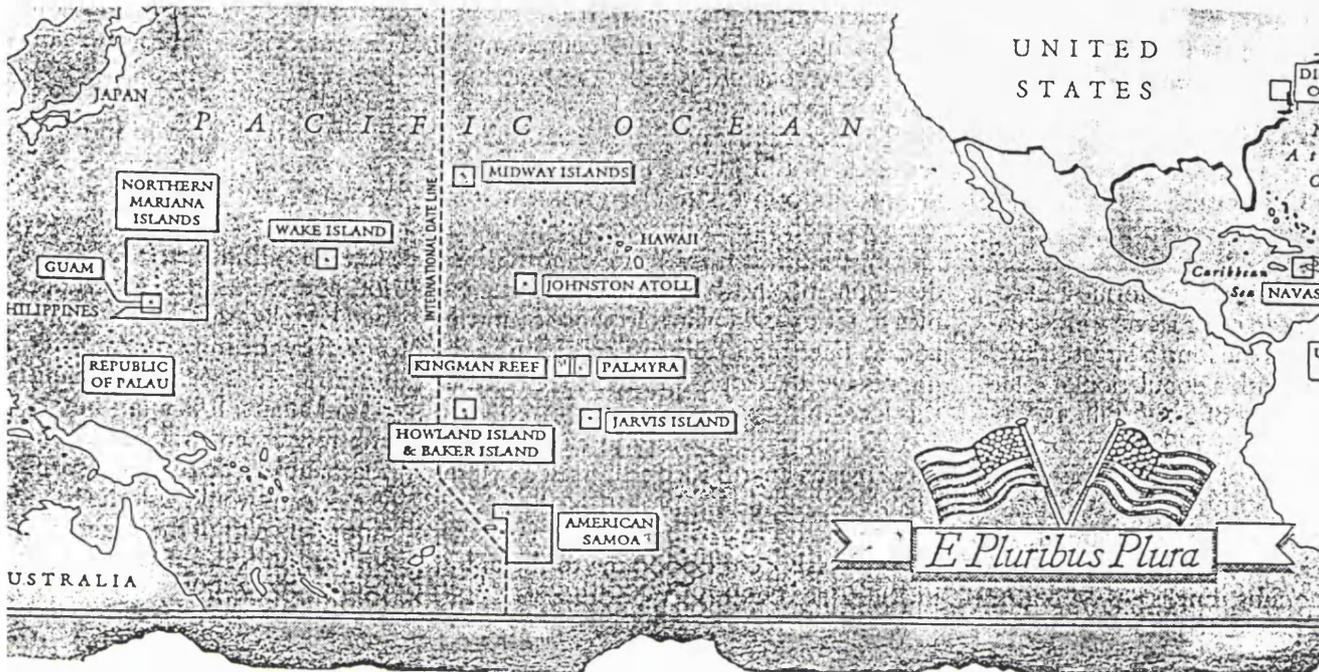
Overall, so long as her national interests were protected, the anti-colonial sentiments of the United States played a major part in establishing the principle of international accountability for administering dependent peoples in the League mandates and the United Nations trusteeship systems. American determination (especially that of President Wilson) was primarily responsible for creating the mandates system, although British ideas were predominant in the actual formulation of the system's institutional machinery. American diplomacy and plans, however, played the major role in setting up the United Nations trusteeship machinery. Without the United States, there might well have been only a very diluted degree of international accountability. At the very least, the new system involved publicity in a world forum. The existence of the system meant that the European colonial powers endeavoured to present their administration in the best possible light in Trusteeship Council and, more significantly, General Assembly debates. This could and sometimes did involve re-thinking colonial policies to avoid adverse publicity; the revised attitudes and policies spilling-over from trust to non-self-governing territories.

Finally, from the Second World War onwards, the American attitude was that the ultimate purpose of international accountability was to equip dependent peoples to determine their own futures. This would require training over perhaps a considerable time period. In the words of Francis Sayre, American policy was based "upon recognition of the inherent human right of every people to freedom, and thus to eventual independence or self-government".<sup>12</sup> Without a doubt American anti-colonial sentiments hastened the eventual demise of the Western European colonialism. The United States played the decisive role in the practical development of the principle of international accountability for dependent peoples.

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11. The words of the United Nations Secretary-General, Javier Perez de Cuellar; United Nations News Summary, NS/23/90, dated October 11, 1990.
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# THE AMERICAN EMPIRE



## Uncle Sam's islands

Dotted across the Caribbean and the Pacific—and indeed the American mainland—are the islands of an empire on which the dollar never sets

Source: The Economist, May 6, 1989, p.17.

## APPENDIX 2

### The Allocation of League Mandates

- i. Territories under "A" class mandate
  - (a) France had the mandates for the Lebanon and Syria.
  - (b) Great Britain had the mandates for Iraq, Palestine, and Transjordan.
  
- ii. Territories under "B" class mandate
  - (a) Belgium had the mandate for Ruanda Urundi.
  - (b) France had the mandates for the French Cameroons and French Togoland.
  - (c) Great Britain had the mandates for the British Cameroons, Tanganyika, and British Togoland.
  
- iii. Territories under "C" class mandate
  - (a) Australia had the mandates for New Guinea (north-eastern part), New Ireland, New Britain, and the Solomon Isles.\*
  - (b) The British Empire (Australia, Great Britain, and New Zealand) had the mandate for Nauru; exercised through Australia.
  - (c) Japan had the mandate for the Marianas, Caroline, and Marshall Islands.
  - (d) New Zealand had the mandate for Western Samoa.
  - (e) South Africa had the mandate for South West Africa.

\* Only the two northernmost islands (Bougainville and Buka) of the Solomon Isles were under mandate. All the other islands of the archipelago (including some ruled by Germany until sold in 1900 to join the British Solomon Islands Protectorate) stayed outside the mandates system.

### APPENDIX 3

#### Territories Under United Nations Trusteeship

The only remaining trust territory is the United States' strategic trust territory of Micronesia. Ten other territories were placed under trusteeship, but no longer have that status.

Cameroons (British administration)	The northern part joined Nigeria in June 1961; the Southern part joined the Republic of Cameroon in October 1961.
Cameroons (French administration)	Achieved independence as the Republic of Cameroon in September 1960.
Nauru (Joint Australian, British and New Zealand administration)	Achieved independence in January 1968.
New Guinea (Australian administration)	Joined with Papua to become Papua New Guinea which achieved independence in September 1975.
Ruanda-Urundi (Belgian administration)	Achieved independence as the separate states of Rwanda and Burundi in September 1962.
Somaliland (Italian administration)	Achieved independence as Somalia in July 1960.
Tanganyika (British administration)	Achieved independence as Tanganyika in December 1961. Joined with the People's Republic of Zanzibar and Pemba to become Tanzania in April 1964.
Togoland (British administration)	Joined with the newly independent Ghana (formerly the Gold Coast) in March 1957.
Togoland (French administration)	Achieved independence as Togo in April 1960.
Western Samoa (New Zealand administration)	Achieved independence in January 1962.
South Africa refused to place her South West African mandate under trusteeship. It became independent as Namibia in 1990.	

## APPENDIX 4

### The League of Nations Covenant and Dependent Peoples

#### **Article 22**

1. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

2. The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who, by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

3. The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

4. Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

5. Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

6. There are territories, such as South West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

7. In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

8. The degree of authority, control or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

9. A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

### **Article 23**

Subject to and in accordance with the provisions of international Conventions existing or hereafter to be agreed upon, the Members of the League:

- (b) undertake to secure just treatment of the native inhabitants of territories under their control;

## APPENDIX 5

### The United Nations Charter and Dependent Peoples

#### CHAPTER XI DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

##### **Article 73**

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, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

(a) to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

(b) to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

(c) to further international peace and security;

(d) to promote constructive measures of development, to encourage research, and to co-operate with one another, and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

(e) to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

#### **Article 74**

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

### **CHAPTER XII INTERNATIONAL TRUSTEESHIP SYSTEM**

#### **Article 75**

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

#### **Article 76**

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

#### **Article 77**

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- (a) territories now held under mandate;

(b) territories which may be detached from enemy states as a result of the Second World War; and

(c) territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

#### **Article 78**

The Trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

#### **Article 79**

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

#### **Article 80**

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

#### **Article 81**

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

## **Article 82**

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

## **Article 83**

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreement and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas.

## **Article 84**

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust territory.

## **Article 85**

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII  
THE TRUSTEESHIP COUNCIL  
Composition

**Article 86**

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

**Article 87**

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

**Article 88**

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

**Article 89**

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

## Procedure

### Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

### Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

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