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**Selective Responsibility:  
History, Power and Politics in  
the United Nations**

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### **Declaration**

The thesis is my own work and has not been submitted for a degree at any other university.

## **Abstract**

This project explores the issue of selectivity within contemporary international politics, particularly in relation to the implementation of the United Nations' Responsibility to Protect principle, from a postcolonial perspective. It argues that in order to fully understand the selective implementation of policy in contemporary contexts, it is necessary to examine the historical origins of the United Nations and to highlight the institutionalisation of postcolonial privilege in international political organisations. Through the use of archival data, it shows that the United Nations is an institution that has been committed to the perpetuation of colonial power structures through the development of new forms of government and structures of control, relying on problematic discourses of civilisation and progress that legitimate a global power structure that has its roots in colonialism. It begins with the provision of an alternative historical narrative that highlights the significance of colonialism in the founding of the United Nations and that seeks to undermine the discourse of equality that is frequently attributed to the organisation. It then moves on to explore more concrete examples of the structures of the United Nations that have allowed for the continuation of colonial power relations before examining these ideas in relation to the contemporary politics of intervention, particularly focusing on the role of the Security Council as the locus of postcolonial and neocolonial power.

## **Introduction**

'If we believe that all human beings are equally entitled to be protected from acts that shock the conscience of us all, then we must match rhetoric with reality, principle with practice. We cannot be content with reports and declarations. We must be prepared to act. We won't be able to live with ourselves if we do not' (International Commission on Intervention and State Sovereignty, 2001: 75).

### **Selective Responsibility: The United Nations and Contemporary Conflicts**

The early months of 2011 saw the beginning of a wave of revolutionary protests that had started in Tunisia in December of 2010 and quickly spread across the Middle East and North Africa that have come to be known more commonly as the 'Arab Spring' (Bellamy and Williams, 2011: 838). These protests saw huge numbers of pro-democracy campaigners take to the streets in uprisings against long-standing dictatorial governments (Henderson, 2014: 176). Each situation encouraged and bolstered by the revolutionary nature of surrounding protests, civilians objected to the harsh conditions imposed by governments under which they had been living in some cases for decades. The protests had differing outcomes throughout the region, but in the cases of Libya and Syria, these protests quickly descended into civil war (Wilson, 2014: 158).

As I watched these civil wars and the inevitable humanitarian crises that followed unfold in the newspapers and on television, I was acutely aware of the international response in each case and began to do some research into the policies of the United Nations as an organisation that was designed to deal with international peace and security. It seemed clear to me that

the large-scale loss of life in these contexts required a response from the international community that amounted to more than charity donations and sympathy and that there would be a policy in place for how to deal with such a situation. Surely the purpose of international organisations such as the United Nations is to act in cases where civilian lives are in danger? Within this particular time frame and geographical context, what interested and alarmed me most was the stark difference between the response to Libya and the (non-) response to Syria.

My research began by looking at the particular policies of the United Nations in dealing with international humanitarian emergencies, which the situation in the Middle East and North Africa undoubtedly was. In 2001, the International Commission on Intervention and State Sovereignty (ICISS) produced a report detailing the Responsibility to Protect, a new principle in guiding United Nations approaches to intervention within the international community. Following the publication of the report in 2001, this principle was agreed upon by the member states of the United Nations at the World Summit in 2005 and it remains the leading principle in debates around intervention. The report stated that in the case of large-scale loss of life such as that which has been seen during these two civil wars, the Responsibility to Protect would be the policy that guided any intervention led by the United Nations (ICISS, 2001: xii).

In the two specific cases of Libya and Syria however, the Responsibility to protect was not applied equally. On March 17<sup>th</sup> 2011, the Security Council adopted Resolution 1973, which authorised the use of 'all necessary measures' in dealing with the escalating conflict in Libya (United Nations, 2011: 3). This amounts to an agreement that member states could organise a military intervention in order to protect civilians in Libya from the violence of the Gaddafi regime under the principle of Responsibility to

Protect. The response was clear and rapid; the international community would not stand by and allow a dictatorship to continue in the face of a huge pro-democracy revolution. The United Nations quickly acted to enforce a no fly zone and an arms embargo in Libya, followed by NATO-led air strikes (Averre and Davies, 2015: 818). The United Nations sent a clear message that the responsibility of the international community was to protect civilians in danger and to support the development of democratic governments.

However, in spite of similar circumstances in Syria the following year and the large-scale loss of life at the hands of the Assad government, the response was much less clear. To many it seemed obvious that the situation in Syria demanded the same international action that had been seen in the case of Libya. However, this was not the case and military intervention was not authorised due to the continuous vetoes of the Russian and Chinese governments (Weiss, 2014: 13). These vetoes have effectively paralysed the Security Council and prevented the United Nations from taking military action in Syria.

As they played out in international news coverage, the cases of Libya and Syria prompted me to think about the underlying structures that would allow for the obvious selective enforcement of policy in this way. How is it possible that two remarkably similar contexts could be dealt with in such different ways by an institution committed to the maintenance of international peace and security? It is this question of selectivity that prompted this thesis and that provided the basis for an investigation into the historical development of the United Nations. Where the policy states that the United Nations has a *responsibility* to protect civilians in danger as the result of conflict, how is it possible that one situation results in a full-scale military intervention and the other does not?

Here, the focus is on history. The following pages provide a historical analysis of the development of the United Nations that aims to critique the notions of responsibility that underpin this policy and argue that responsibility in this context functions to obscure the role of the major powers within the United Nations. The argument that follows shows that the ability for this responsibility to be applied selectively is the result of a deliberate structuring of the United Nations and particularly of the Security Council that institutionalises the privilege of the world's most powerful nations, supported by problematic discourses of development and civilisation that were born out of the colonial encounter (Anghie, 2005). The primary objective here is to disrupt the dominant discourses of equality that surround the United Nations and frame it as a universal, equal and representative body, instead arguing that the power differentials characteristic of formal colonialism are reproduced through the structure of the United Nations as an international organisation.

This thesis is grounded in a political belief that the current global system is unjust and that international institutions such as the United Nations play a key role in the reproduction of inequality, partly through the ability of the powerful to write history. It is based on a normative belief in equality, redistribution and justice, specifically in this context for formerly colonised nations. The research that has been undertaken and the arguments that follow contribute to postcolonial theories of international relations that wish to address the current formation of the world by taking into account its colonial past and insisting on the redistribution of global wealth and power. The purpose of this project is to contribute to a broader questioning of political power and a commitment to citizens holding states accountable for their behaviour. Any claims that are made in terms of legitimacy, validity and accuracy of historical accounts are made from this

normative position and reflect a moral and political commitment to addressing the inequality established through the colonial encounter and to disrupting hegemonies. This begins with a commitment to an understanding of the past that illuminates that which has been silenced as part of the violence of colonialism.

### **Key Themes and Grounding Frameworks**

In discussing the specific issue of the application of Responsibility to Protect within global politics, this thesis relies on theoretical frameworks to ground the discussions and involves a number of key themes that are recurring throughout. Postcolonial theory provides the lens through which the social world is viewed, whilst methodologically, the project focuses on reading the contemporary world through the historical. The thesis hopes to contribute to a sociology of international relations and stress the value of sociological research in an arena frequently dominated by legal and political scholars. These key frameworks will be introduced briefly here.

#### *Postcolonial Theory*

Postcolonial approaches to understanding the social world are an attempt to redistribute the power that comes from dominant knowledge. As prominent postcolonial theorist Homi K. Bhabha argues:

‘They intervene in those ideological discourses of modernity that attempt to give a hegemonic “normality” to the uneven development and the differential, often disadvantaged, histories of nations, races, communities, peoples. They formulate their critical revisions around issues of cultural difference, social authority, and political discrimination in order to reveal the antagonistic and

ambivalent moments within the “rationalizations” of modernity’ (1994: 246).

The intention of postcolonial theory is always to disrupt those dominant discourses that naturalise the uneven development of the globe that occurred as a result of the colonial encounter. This thesis is grounded in postcolonial theory as an approach to understanding the world. It works on the basis that the impact of colonialism did not end with the granting of independence to former colonial territories and that dominant discourses that were allowed to thrive as a result of colonialism should be challenged. As with other postcolonial projects, the arguments developed throughout the following chapters provide a resistance to the desire to assume that colonialism ended with the formal process of decolonisation (Gandhi, 1998: 4). The belief that motivates this project is that colonialism shaped the world to such a degree that its aftermath cannot be undone through the granting of formal independence to former colonies.

In line with this belief, this project focuses on the role played by international institutions in the framing of colonialism as a distinct, self-contained period in history that takes no responsibility for the current state of the international community – what Gandhi terms ‘mystifying amnesia’ (1998: 4). In addressing this ability of colonialism to disguise its history, this thesis seeks to illustrate the ways in which the colonial history of the United Nations as an international organisation has affected its very foundations, its structures and its ways of framing the world. This is done on the basis that the United Nations plays a key role in the maintenance of global hierarchies and that it has significant influence in the contemporary desire to regard colonialism only as an event in history.

Whilst postcolonial theory provides the lens through which the problem is viewed, throughout the following chapters, distinctions will be made between postcolonial power and neocolonial technologies of power. References to 'postcolonial power' signify an acknowledgment that colonialism affected the structure of global society to the extent that we cannot understand the current global positioning of states without understanding their role in colonialism. The use of this term represents an acknowledgement that the majority of the world has undergone a process of formal decolonisation, but that the effects of colonialism are so significant that we must continue to recognise its impact when discussing the contemporary global context (Seth, 2013: 1). This term will therefore be used when discussing colonial power structures that continue to structure contemporary global relationships.

The arguments throughout this thesis will also discuss neocolonialism and neocolonial technologies, which refer to something slightly different. Kwame Nkrumah, the first prime minister of Ghana, discusses this terminology at length in his book *Neo-Colonialism: The Last Stage of Imperialism* (1965). Writing in the years following the decolonisation of large parts of Africa, Nkrumah argues that neocolonialism developed as the main instrument of imperialism following the granting of independence to the colonies, operating through economic or financial control (1965: ix). Neocolonialism therefore refers to the practices of former imperial powers that result in the economic control of colonies that have been granted independence. These practices are often developed as part of the process of decolonisation via international law and international institutions (Anghie, 2005: 192).

Within the context of this project then, the terms 'neocolonialism' or 'neocolonial technologies' will be used in order to refer to the mechanisms

developed through the process of decolonisation that allow imperial powers to maintain control over colonial territories in spite of granting them formal independence. These practices cannot be referred to as colonial as they do not form part of a relationship of direct rule by one state over another, rather they are *neocolonial* as they were developed as *new* ways of maintaining control following independence. As Nkrumah argues: 'the question is one of power. A State in the grips of neocolonialism is not master of its own destiny' (1965: x).

The underlying belief of this project is based upon this body of work that seeks to emphasise the extent to which the contemporary world is still feeling the effects of the colonial encounter, through the postcolonial structures of power that continue to determine both the relationships between states and the positioning of states in a global political hierarchy, and through the neocolonial technologies of power that have been developed via international institutions in order to ensure that former colonies will never be truly independent.

### *The Importance of History*

Whilst postcolonialism provides the overarching theoretical impetus for the thesis, it is also grounded in an associated methodological belief that an accurate understanding of history is essential to an adequate understanding of the contemporary world (Bhambra, 2007: 2). It is insufficient to approach contemporary issues through an examination of just their immediate context. In order to fully understand any social issue, it is necessary to explore the historical processes that enabled these issues to occur. Following the methodological approach of historical sociology, this thesis signifies a commitment to 'taking history seriously' (Steinmo, 2008: 128). Within the context of this particular project, the aim is to highlight the significance of colonialism in the establishment of the United

Nations and to examine the ways in which colonial relationships feed into the discourses that continue to frame contemporary debates through the provision of a historical analysis.

This project is also heavily influenced by the work of Michel-Rolf Trouillot and his book *Silencing the Past: Power and the Production of History* (1995). It focuses on the problem of silences in understanding history, following Trouillot's argument that history is simultaneously the facts of what happened in the past and the narrative of those facts that is continued in the present (1995: 2). The chapters that follow will examine contemporary debates through the lens of history, but will also highlight the silences in the dominant historical narratives on the understanding that history is always the product of dominant knowledge. It is important therefore to establish the particular aspects of history that have been silenced in conventional narratives in order to understand how contemporary issues have been enabled.

#### *Taking a Sociological Approach*

It may seem unusual for United Nations' policies on military intervention to be the focus of a sociological research project. Topics such as this are more often dealt with in law or politics and are largely neglected in the field of sociology. This thesis is both an attempt to address this gap and to demonstrate the contribution of sociology to a more rounded understanding of these debates. This thesis takes a sociological approach to issues around intervention and international relations, allowing for an understanding of power in relation to the institutionalisation of particular social meanings, with a focus on the empirical conditions within which power is exercised (Nash, 2010: 193).

Borrowing from the conceptual frameworks of historical sociology and the theoretical frameworks of postcolonialism, the aim here is not to recount history but to question the standard histories that we take for granted and the structures that enable these histories to be accepted. The aim is to provide an approach that resists narratives that construct our experiences as necessary and natural (Dean, 2003: 180).

In terms of locating this project within existing debates and in relation to existing literature, there is a significant engagement with Critical International Relations scholarship and Critical Legal Studies throughout. The subject matter and its absence in sociological scholarship make this inevitable. Particularly in relation to discussions around the implementation of Responsibility to Protect, the thesis engages with Critical International Relations scholarship that has argued for an understanding of this principle as a process of legitimation for the United Nations (see for example Chandler, 2010) and work that has been critical of the language of humanitarianism that obscures the fact that national interests always outplay humanitarian need within the international community (see Hehir, 2014; Barnett, 2011).

The project should also be read in relation to Critical Legal Studies, particularly with regard to the discussions around sovereignty that have been useful for the argument being developed throughout. Critical legal theory has been particularly useful in terms of thinking through the relationship between colonialism and international law and sovereignty as a principle emerging from this through the idea of a civilising mission (see Anghie, 2005; Koskenniemi, 2005). Critical legal theorists have also been sceptical of the language of human rights, arguing that their moral character obscures the ways in which they are used for political ends (see Douzinas, 2007).

Both Critical International Relations Studies and Critical Legal Studies have provided useful points of engagement for the thesis that follows in terms of thinking through the power relations involved in both the political and legal construction and implementation of international law. Whilst aspects of this thesis are situated within these debates, as a whole, the project aims to develop these arguments in terms of an understanding of silencing as a historical process. The aim here is to engage with these literatures, but add something from the perspective of Sociology in terms of including the silenced anti-colonial resistance that occurred alongside the development of international law and international political institutions.

In spite of the sociological literature on this particular topic being minimal, the project should be viewed within a broader sociological critique of neoliberalism as a global project. It fits within a critique of the contemporary world that exposes the contradictions between neoliberalism's claims to freedom, liberty, choice, rights and democracy and its political and economic policies that ensure the maintenance of unequal global wealth and power (see Harvey, 2010; Brown, 2015).

The thesis is innovative in its approach to the topic. It takes a postcolonial theoretical perspective, engaging with literature from other critical disciplines that are more commonly aligned with the study of international institutions and reads them in conjunction with archive data that has previously been silenced. Applying postcolonial theory to this particular topic within the disciplinary context of sociology expands the reach of postcolonial theory in our understanding of all aspects of global society and creates a greater engagement between postcolonial theory as a way of understanding our contemporary world, and the disciplines of law, politics and international relations. The thesis therefore contributes to postcolonial theory through the innovative application of its concepts.

## Thesis Structure

Having provided a brief introduction to the motivations for the project and the core theoretical frameworks that will be utilised throughout the following chapters, I will now outline the structure of the thesis and the core arguments of each chapter. The thesis is split into two parts: Part One: Challenging History; and Part Two: Postcolonialism in Practise. Part One seeks to provide the theoretical framework for the thesis, detailing the approach to history that will guide the project, as well as providing an alternative narrative to the particular history of the United Nations as an institution. Part Two is made up of three chapters that illustrate this theory by working through examples of how postcolonial power structures within the United Nations play out in reality. Together, the two parts form a postcolonial historical analysis of contemporary debates around intervention within the United Nations, focusing particularly on the issue of selectivity and the historical processes that have enabled it.

Chapter 1 begins with a reconsideration of the documented history of the United Nations. It summarises the basic structure of the United Nations and looks at its core principles as stated in the 1945 Charter of the United Nations. It then goes on to provide the standard historical narrative of the organisation as told by the organisation itself and by a number of historians since its establishment, before offering an alternative approach to understanding this history. This alternative approach is largely based on the work of Mark Mazower in his book *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations*, where he argues that the United Nations ought to be understood not as a distinct organisation separate from its historical predecessors, but as having evolved out of prior failed institutions, namely the League of Nations (2009: 17). Where standard narratives document the birth of the United

Nations as a distinct moment in time, this approach argues that viewing the organisation as part of a historical process provides a more accurate understanding.

Chapter 1 therefore argues that in order to understand the role of the United Nations in the contemporary world, it is necessary to view it as an extension of earlier institutions. In doing so, it is possible to see the ways in which the United Nations is built upon power relations established through the process of colonialism. This chapter is an introduction to these ideas that underpin the rest of the thesis, that ultimately the United Nations signifies the institutionalisation of colonial power relations. It also ends with a brief discussion of the contemporary contexts mentioned in the introductory section of this chapter that prompted this project and by asking questions about the role of the United Nations in the contemporary world.

Chapter 2 builds upon the ideas introduced in Chapter 1 with an introduction to postcolonial critiques of the United Nations. This chapter looks at the issues raised by studying the United Nations from a postcolonial perspective and details the approach that will be taken throughout the rest of the thesis. It argues that colonialism was significant in the establishment of the United Nations and that colonialism informed the discourses of development and civilisation that were the basis for the structuring of the organisation. These discourses will be challenged throughout the thesis on the understanding that they continue to have influence in terms of the problematic framing of particular parts of the world as 'civilised' and 'uncivilised'.

Chapter 2 also introduces debates around the relationship between sovereignty, international law and colonialism. Drawing closely on the work

of Antony Anghie, the argument here is that the United Nations and international law more broadly are reliant on the concept of sovereignty as a way of ordering the world, but that sovereignty is a concept that was born out of the colonial encounter in terms of providing a way to differentiate between European and non-European states and in to create a system that was able deal with the relationship between them (Anghie, 2005: 3). Following Anghie's line of argument, Chapter 2 contends that the United Nations' reliance on sovereignty as a fundamental principle of the organisation is in conflict with the organisation's claims to equality as a result of the colonial origins of sovereignty as a concept.

Having explored the postcolonial framework within which the rest of the thesis should be understood, Chapter 3 moves on to provide a more methodological framework, expanding on the ideas that have already been introduced here. It argues for the importance of reading contemporary contexts through history and makes use of Trouillot's (1995) work on silences in approaching the historical narratives of the United Nations. The purpose of providing this methodological framework is to make clear the overall aim of the project, which is to disrupt the dominant narratives of equality and progress that form the accepted history of the United Nations through the provision of an alternative narrative that emphasises the significance of colonial domination and postcolonial power structures within its establishment. This methodological approach of reading through history is applied in this context on the basis that in order to understand contemporary debates around intervention within the United Nations, it is essential to understand the organisation's colonial origins.

Chapter 3 also outlines the practicalities of using archival data in supporting the re-narration of the history of an institution, firstly looking broadly at concerns around the use of archives in social research, before

focusing more specifically on the practicalities of collecting data from the United Nations Archives.

Chapter 4 is the final chapter of Part One and seeks to provide an alternative discourse in the narration of the history of the United Nations. It begins with an examination of forms of resistance to imperialism in the years of the League of Nations and traces this history of resistance throughout the establishment of the United Nations, which eventually forced the beginning of the process of decolonisation. This chapter argues that this history of resistance to colonialism has been silenced in the standard narratives of the United Nations and that including this history of resistance removes the possibility of viewing the United Nations as an institution committed to equality. In providing this alternative history, Chapter 4 seeks not only to challenge these dominant narratives, but also to challenge the silencing of the resistance of particular nations that allows for the continued domination of others.

Part Two: Postcolonialism in Practise is made up of three chapters, each exploring a key issue within the United Nations from a postcolonial perspective. This begins in Chapter 5 with a more detailed discussion of the debates around sovereignty that are introduced in Part One. Following on from the position that the United Nations represented evolution from the League of Nations, the chapter starts with an examination of the role played by the concept of sovereignty in the League, before moving on to discuss the development of notions of sovereign equality within the United Nations.

Chapter 5 argues that the United Nations used the rhetoric of sovereign equality as a way of distancing itself from the perceived imperialism of the League. However, as the chapter goes on to detail, once we examine the

actual structures and systems of control established by the United Nations, it becomes difficult to understand the United Nations as an institution committed to equality. The chapter illustrates this through an examination of the trusteeship system that was written into the Charter, arguing that this system amounted to a re-branding of the mandate system of the League of Nations and as such, was essentially loosely supervised colonialism. Chapter 5 again draws heavily on the work of Antony Anghie in understanding the relationship between sovereignty and colonialism, as well as using archival data from the 1945 United Nations Conference on International Organisation at San Francisco.

Advancing more concretely to the issue of intervention within the United Nations, Chapter 6 examines the structure of the Security Council and how it came to be established. Again making use of archival data from the United Nations Archives, Chapter 6 looks at how the major powers designed the organisation around the institutionalisation of their power. As the Security Council is both a key body within the United Nations and the primary decision making body with regards to intervention, the status of the five permanent members of the Security Council safeguards their ability to authorise and/or prevent action in line with their own political interests. This chapter argues that the powers afforded to the permanent members of the Security Council are upheld by ideologies of development and responsibility that have their roots in colonialism, and that the ability of the Security Council to act selectively with regards to intervention was deliberately built into its structure from the very beginning of the United Nations.

Whilst focusing primarily on the structure of the Security Council and how this was established at the San Francisco conference and at the Dumbarton Oaks conference that preceded it, Chapter 6 also returns to the issue of

sovereignty, arguing that the role of the Security Council in the overall structure of the United Nations and the powers afforded to its permanent members signify a privileging of the sovereignty of particular nations over others that replicates the colonial relationship. The major powers are the ultimate sovereigns, given the ability to intervene on the basis of international peace and security, whilst territories that fought for their independence as sovereign nations can have their right to non-intervention revoked on this same basis.

Chapter 7 is in some ways the culmination of the arguments that have been developed throughout the previous chapters. Concentrating on the issue of intervention, it examines various stages in the historical development from an initial commitment to non-intervention made in the Charter of the United Nations to the current policy of Responsibility to Protect, which amounts to a responsibility to intervene. The argument here is that the current policy perpetuates the existing global order by reproducing a problematic historical understanding of progress and development that frames particular nations as paternalistic educators with a responsibility to civilise the uncivilised, whilst ultimately allowing for the continuation of selectivity with regards to intervention and obscuring the political power that underlies decision making in this context.

The two parts are intended to complement each other, with Part One providing a theoretical approach to understanding global relationships within the United Nations and Part Two providing a more concrete application of this theory through examples. Ultimately, the thesis aims to re-narrate the history of the United Nations in order that we might understand its role in the maintenance of an unequal global order that was established through colonialism.

**Part One:**  
**Challenging History**

## **Chapter 1: The United Nations: A History Reconsidered**

‘The past is emphatically not destiny and the UN’s origins need not shape its future. But without some knowledge of the context from which it emerged, we are likely to simply continue rehearsing the arguments of the past rather than to move successfully beyond them’ (Mazower, 2009: 203).

### **Introduction**

The United Nations was founded in 1945, celebrating its 70<sup>th</sup> birthday in 2015. It is an international institution that has 193 member states at present and plays a key role in global politics. It is made up of a number of different organs, each with a range of committees of representatives from governments around the world, and seeks to ‘take action on the issues confronting humanity in the 21<sup>st</sup> century’, including peace and security, climate change, terrorism and gender equality amongst others (United Nations, 2016). The United Nations’ main headquarters are in the Turtle Bay area on the east side of New York City, but it also has major regional bases in Geneva, Nairobi and Vienna. Established at the end of the Second World War, the United Nations was an attempt to generate an international agreement to prevent wars on such a scale from happening in the future. The Charter of the United Nations, signed by the 51 original member states in 1945 establishes its organisational structure, detailing the specific roles of the various organs, as well as outlining the purposes and core principles of the United Nations as an international body. Each of these will be briefly outlined in the section that follows in order to provide an overview of what exactly the United Nations is, why it was established and how it functions.

Following this, an overview of the history of the United Nations' development will be explored. Standard histories of the United Nations, told both by the United Nations itself and by academics, often date its birth as an institution as the signing of the Charter at the San Francisco conference in October of 1945. Although some of these histories provide a brief discussion of the meetings that led to the San Francisco conference, it is generally accepted that the United Nations came into existence as a new form of international organisation at the end of the Second World War. We see this history replicated and reproduced, particularly within historical and political accounts of the development of the United Nations as an institution. Although this history is not always presented in a positive light, it is nonetheless replicated and despite some level of diversity, standard histories are united in two key aspects. They are united firstly in understanding the United Nations as a novel institution, and secondly in seeing the United Nations as an institution that is universal in its membership.

Towards the end of this chapter and in the chapters that follow, it will be argued that these standard accounts of the United Nations' development often underplay its relationship to its predecessor, the League of Nations, and gloss over the issues of complex power politics involved in its construction (Mazower, 2009). More broadly than this though, these standard histories of the United Nations exclude a consideration of colonialism and how this allowed particular countries to dominate in the construction of a new international organisation. These standard histories fail to acknowledge that colonialism has overwhelmingly shaped the character and structure of international institutions in their earliest stages, and the United Nations is one such example of this (Anghie, 2005: 117). This chapter will detail these standard histories, in order to provide a basis for the argument that in spite of their diversity and their sometimes critical

approach to the United Nations, these histories are united in certain aspects and most importantly in their neglect of particular aspects of history. It will then move on to disrupt the dominant discourses constructed through these standard accounts by arguing that the United Nations was in fact a development of earlier forms of international organisation, rather than a revolutionary turn in global politics.

Finally, this chapter will explore the role of the United Nations in the contemporary global context, examining some of the key challenges facing the United Nations and the international community more generally at present. It will look at the aims of the United Nations in the past 16 years and particularly how the organisation responded to the political challenges of a 'war on terror' after September 11<sup>th</sup> 2001, specifically in relation to the enforcement of policies of intervention and the role of the Security Council, which will be significant for later chapters. This final section of this chapter will conclude with a discussion of the contemporary issues facing the United Nations in terms of a political struggle within the context of intervention in the Middle East and North Africa, questioning the contemporary relevance of an institution established over 70 years ago and asking some initial questions around how it might adapt in order to face the international concerns of the world as it is today.

## **The United Nations: Purpose and Structure**

'WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our life- time has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that

armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives

assembled in the city of San Francisco, who have exhibited their full

powers found to be in good and due form, have agreed to the present

Charter of the United Nations and do hereby establish an international

organization to be known as the United Nations' (United Nations, 1945).

The Charter of the United Nations begins with this ambitious declaration, and it is the Charter that forms the fundamental basis of the work of the

United Nations, providing guidelines on the structure of the organisation and the core governing principles. This preamble clearly states that the core aims of the United Nations as an international organisation are to promote human rights, justice and social progress, to practice tolerance and to maintain international peace and security. It emphasises the need to limit the use of armed force and makes a commitment to economic and social advancement for all people in the world. Ultimately, the United Nations was designed as an international agreement to prevent war on the scale that had been seen just prior to its establishment. Its success and growth was reflective of the general mood following the Second World War: that something had to be done in order to prevent the conflict and loss of life on this scale from ever happening again. In signing the Charter, the original 51 member states declared an intention to act collectively to prevent war and to promote international peace and security, as well as promoting human rights and global advancement on all levels in order that the world would never again suffer as it had between 1939 and 1945.

Following this preamble, Chapter 1 of the Charter of the United Nations goes on to outline its 'Purposes and Principles'. The four fundamental principles are stated as follows:

'1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends' (United Nations, 1945:2).

The maintenance of international peace and security is and has always been therefore an essential priority for the United Nations, and these four primary purposes of the organisation state that this is to be delivered through cooperation, respect for human rights and dealing with acts of aggression through peaceful means. In addition, there is a focus here on equality, respect and non-discrimination, reflecting upon the horrors of the events of the Second World War. It is argued that the absolute disregard for human rights shown by the Nazi regime strengthened an international will for the development of a 'common law of mankind' that would allow for the protection of individuals from genocide (Goodwin, 1971: 29). The United Nations was, in theory, to be based upon the fundamental human rights of all of the worlds' peoples and was designed to develop international standards of treatment as well as signifying an agreement between states to prevent human rights abuse. This was consolidated in the Universal Declaration of Human Rights in 1948, three years after the Charter of the United Nations was signed, which stated that 'recognition of the inherent dignity of the equal and inalienable rights of all members of

the human family is the foundation of freedom, justice and peace in the world' (United Nations, 1948).

These principles that are detailed at the beginning of the Charter also highlight a commitment to dealing with international disputes without aggression and in line with the values of international law, again reflecting a response to the military conflicts of the first half of the twentieth century. Through these fundamental principles and the declaration of the preamble, the founders of the United Nations vowed to act collectively to make the world a safer place, designing what they argued was a structure that would address the perceived threats to international peace and security (Hanhimäki, 2008: 2).

Structurally, the United Nations is made up of six distinct organs: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat. Each of these organs fulfils a particular function in relation to the broader aims of the organisation and they vary in terms of size and membership. These six organs will be detailed in turn now in order to give an overview of how the United Nations is organised and how these various organs work together with each performing a particular function.

### *The General Assembly*

The General Assembly consists of all member states of the United Nations. It has the capacity to discuss anything within the scope of the Charter and is able to make recommendations for action to individual member states or to the Security Council where appropriate (United Nations, 1945: 4). The General Assembly is the only space where all individual member states are always represented and have the opportunity to have their say on issues of international concern or relevance. Here, each and every member state

has one equal vote and as such it has often been conceptualised as a 'proto-world parliament' (Peterson, 2006: 3). It allows all member states to be involved in deciding upon action that should be taken in relation to issues within the remit of the Charter, with recommendations being taken forward for action by the relevant relating committee. Decisions made within the General Assembly about important issues such as peace and security or the admission of new member states need a two-thirds majority to pass, whilst all other decisions simply require a majority (United Nations, 2016). The General Assembly is a representative body, where decisions are made through democratic processes of one vote per member and passed by a majority. However, in terms of making decisions on issues of peace and security, its powers for action are fairly limited. Whilst the General Assembly can hold a vote to make recommendations for action on peace and security issues, it does not have the power to authorise such action. This power is held exclusively by the Security Council.

### *The Security Council*

The Security Council has primary responsibility for the maintenance of international peace and security and its structure will be examined in much more detail in later chapters as it holds significance for the arguments around power and privilege that are being developed throughout the thesis. However, a brief overview is relevant here in the context of discussing the main organs of the United Nations and providing an introduction to the United Nations as an organisation. The Security Council consists of fifteen members – five permanent and ten non-permanent – each with one vote. The non-permanent members of the Security Council are elected by the General Assembly, each for a term of two years. According to the Charter, member states of the United Nations defer the responsibility for the maintenance of international peace and security to the Security Council 'in order to ensure prompt and effective action by the

United Nations' (United Nations, 1945: 7). The Security Council acts on behalf of all member states in making decisions that can result in action in relation to international peace and security in order to avoid the inefficiency and disagreement that may occur as the result of debate amongst all 193 member states within the General Assembly. Limiting discussions around action to fifteen member states in theory allows for decisions to be made much more quickly, which is important when dealing with major breaches of peace and security that may require an urgent response or immediate action. Although the General Assembly can discuss such issues and make recommendations, their authorisation or support is not required in order for the Security Council to take action.

Crucially for the arguments to be developed over the following chapters, voting within the Security Council is not as straightforward as one vote per member state as in the General Assembly. Whilst all fifteen members of the Security Council have one vote each on matters discussed, the five permanent members of the Council – the United Kingdom, the United States, France, Russia and China – also have the power of veto, meaning that decisions are made 'by an affirmative vote of seven members including the concurring votes of the permanent members' (United Nations, 1945: 7). So, in order for a resolution for action to be passed, all five of the permanent members of the Security Council must agree on the course of action. Any permanent member who does not agree with the course of action suggested in a proposed resolution therefore has the power to prevent it by invoking their right to veto. As the Security Council is the chief authorising body for action, this voting procedure clearly leaves the United Nations open to being controlled by the interests of the major powers who have the right to veto. Due to the rights afforded to the five permanent members, this pattern of voting within the Security Council and the controversy around it will be looked at in more detail in Chapter 6.

### *The Economic and Social Council*

The Economic and Social Council's remit focuses on policy recommendations for economic, social and environmental issues and it is responsible for the implementation of policy in relation to the United Nations' development goals (United Nations, 2016). Its work includes promoting sustainable development across the world, raising awareness of global issues and coordinating humanitarian action, working alongside a number of non-governmental organisations (NGOs). It currently consists of 54 members, elected by the General Assembly and serving overlapping terms of three years.

Seats on the Economic and Social Council are assigned in order to allow for weighted geographical representation with fourteen allocated to African States, eleven to Asian States, six to Eastern European States, ten to Latin American and Caribbean States, and thirteen to Western European and other States (United Nations, 2016). The Economic and Social Council was also established through the Charter of the United Nations and is able to make recommendations to the General Assembly 'for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all' (United Nations, 1945: 12). The focus of the Economic and Social Council is therefore less upon maintaining peace and security and more on ensuring a cooperative approach to global development and sustainability, whilst also ensuring the United Nations fulfills its duties with regards to human rights and the advancement of all peoples.

### *The Trusteeship Council*

The fourth major organ of the United Nations is the Trusteeship Council. Again, this body has particular significance for the arguments being developed throughout the following chapters and as such it will be dealt with in more detail in Chapter 5. It is particularly significant in

understanding the various ways in which the United Nations created neocolonial mechanisms for maintaining control over colonial territories following the process of decolonisation. However, it is necessary here to provide a brief overview and introduction in the context of the structure of the United Nations. The Charter established the Trusteeship Council in 1945 in order to deal with the management of the remaining League of Nations Mandate Territories – that is the former colonies of the states defeated in the First World War. Article 76 of the Charter states that the primary aim of the Trusteeship system is 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’ (United Nations, 1945). It was therefore established as a supervisory body, with the aim of supporting former colonies to achieve independence, in line with the principles of advancement outlined in the preamble to the Charter.

The Charter emphasised progress and advancement as the fundamental principles of the Trusteeship system, although it remained vague in relation to the ultimate outcome of the supervisory arrangement, which would be independence or self-government ‘as may be appropriate’ (United Nations, 1945: 15). The Trusteeship Council formally suspended operation in November of 1994, following the eventual self-government and independence of all remaining Trust Territories (United Nations, 2016). Once the territories being supervised under this system achieved they system’s aim of independence or self-government, it was no longer seen as necessary to maintain an official Council with regular meetings.

### *The International Court of Justice*

The International Court of Justice is the principal judicial organ of the United Nations and is based at the Hague in the Netherlands. It functions to settle legal disputes submitted by states and to provide legal advice to United Nations organs and committees in accordance with international law (United Nations, 2016). Its establishment is in line with the governing principles of the United Nations, providing the space and support for member states to settle disagreements in line with international law rather than resorting to military violence or other forms of unauthorised aggression. The Statute of the International Court of Justice forms part of the Charter and sets out its composition and functioning. The Court is composed of fifteen independent judges 'elected regardless of their nationality from among persons of high moral character' (United Nations, 1945: 21). The Court is not bound by rules of representativeness and the need to elect judges giving adequate weighted representation to different states or members. The current fifteen judges are from France, Somalia, Japan, Slovakia, Morocco, Brazil, the United Kingdom, China, the United States, Italy, Uganda, India, Jamaica, Australia and Russia, showing the diverse membership of the Court (International Court of Justice, 2016). If the General Assembly is understood as a world parliament, the International Court of Justice acts as the accompanying formal space within which disputes can be settled in accordance with international law.

### *The Secretariat*

Finally, the sixth primary organ of the United Nations is the Secretariat. The Secretariat is the chief administrative body of the United Nations, responsible for the daily running of the organisation. It is made up of a large number of departments including but not limited to: the Department of Political Affairs, the Office for Disarmament Affairs, the Department of Peacekeeping Operations and the Office for the Coordination of

Humanitarian Affairs. The Secretary-General is the chief administrative officer of the Secretariat and is appointed by the General Assembly following a recommendation by the Security Council (United Nations, 1945: 18). It is worth noting therefore that although the Secretary-General is formally appointed by the General Assembly, the recommendation for this appointment is subject to the veto power of the five permanent members of the Security Council in the same way as any other decision made within that arena. Since 2007, the Secretary-General has been Ban Ki-moon of the Republic of Korea, who is the eighth person to fulfil this role since the signing of the Charter in 1945 (United Nations, 2016). Each Secretary-General is elected for a term of five years, however there is no limit to the number of terms they may serve.

The six primary organs outlined here combine to collectively make up the United Nations as an organisation and they work together in order to deliver the aims established in the preamble to the Charter. They allow the United Nations 'to be an active participant in world affairs in its key areas: military security, economic and social development, and the upholding of human rights and international justice' (Hanhimäki, 2008: 17). As the membership of the United Nations is ever increasing, its potential role in international politics as a hub for debate and discussion between the world's nations has become ever more significant. It is for this reason that it is necessary to explore in more depth its structure, its history and its power, both in terms of its organisational power and the particular powers afforded to some states within it.

## **Standard Histories of the United Nations**

As an international institution with a key role in global politics, the United Nations has seen numerous accounts of its history written and replicated over time. The chapters that follow in the first half of this thesis will seek to provide an alternative historical account of the development of the United Nations as an institution that challenges the history it tells of itself and emphasises its relationship to colonialism and colonial power relations. As the United Nations is made up of an ever-increasing number of independent states, that all have some sort of role to play to varying degrees and that all participate in the General Assembly, its decisions are commonly seen to be the outcome of an international process of debate, negotiation and compromise. This process of debate, negotiation and cooperation that seemingly forms of the basis of the United Nations results in it being imbued with an authority to deal with international issues above that of individual states, and this authority results in a sense of legitimacy (Thakur, 2006: 8). Decisions made by the United Nations are seen to be decisions made by the international community and this process of mutual discussion that the United Nations is seen to take part in leads to these decisions being understood as valid.

The theoretically inclusive structure of the United Nations and its role as a cooperative organisation, as the culmination of competing interests, provides it with a sense of legitimacy that suggests that the things it says and does are accurate and are in the general interest, rather than in the interests of individual states. It is for this reason that in providing an alternative historical narrative for the United Nations, the main focus here will be upon the history the United Nations tells of itself, as the sense of legitimacy afforded to the United Nations as an institution allows for its own narration of its history to be understood as factual and accurate. The

history the United Nations tells of its own development has been replicated and reproduced throughout numerous accounts of the United Nations as an institution, for example Leland Goodrich's *The United Nations* (1959), Evan Luard's *A History of the United Nations: Volume 1* (1982) or the collection of essays edited by Kenneth Twitchett in *The Evolving United Nations: A Prospect for Peace* (1971) amongst others. In spite of their diversity and their sometimes critical approach to the United Nations, these histories are united in certain aspects and most importantly in their neglect of particular aspects of history. As such, the aspects that unite these accounts that are collectively viewed as 'standard histories' will also be discussed here.

The United Nations website ([www.un.org](http://www.un.org)) has a section dedicated to detailing the history of the institution that will be used here in order to outline the standard historical narrative of its development, before this section moves on to look at how this narrative has been replicated in the histories such as those mentioned above. The history told by the United Nations of its own development argues that former president of the United States Franklin D. Roosevelt first used the name 'United Nations' in 1942, when representatives from 26 different nations pledged their allegiance and willingness to fight against the Axis powers of World War Two (United Nations, 2016). However, the initial ideas of the United Nations as an institution are dated back to the signing of the Atlantic Charter by British Prime Minister Winston Churchill and Franklin D. Roosevelt in 1941. The two world leaders issued a joint statement of eight points following their meeting at sea, with the final point stating that:

'They believe all of the nations of the world, for realistic as well spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea, or air armaments continue to

be employed by nations which threaten, or may threaten aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armament' (Churchill and Roosevelt, 1941).

The Atlantic Charter therefore signified a commitment and desire by Britain and the United States to develop a widespread international system of security in order to deal with potential acts of aggression. The historical account provided by the United Nations argues that the Atlantic Charter encapsulated a novel agreement by these two leaders on common principles, a sincere '...affirmation of common faith between peace-loving nations' (United Nations, 2016). This pledge was followed on New Year's Day of 1942 by the signing of the 'Declaration by United Nations', initially by Roosevelt, Churchill, Maxim Litvinov of the Soviet Union and T.V. Soong of China, and on the 2<sup>nd</sup> of January by a further 22 nations committed to the principles outlined in the Atlantic Charter (United Nations, 2016). The Atlantic Charter and the Declaration by United Nations are therefore posed as the historical beginnings of the United Nations as an institution as we know it today, signifying an unprecedented dedication to principles of international peace and security.

The 1943 Moscow Conference is viewed as an attempt to ground this commitment to a peaceful world organisation in some sort of concrete structure, with the primary responsibility for its design falling to the leaders of the United Kingdom, the United States and the Soviet Union (United Nations, 2016). This meeting was followed by a declaration at the Tehran Conference in the same year, which stated that:

‘And as to peace-we are sure that our concord will win an enduring Peace. We recognize fully the supreme responsibility resting upon us and all the United Nations to make a peace which will command the goodwill of the overwhelming mass of the peoples of the world and banish the scourge and terror of war for many generations’ (Churchill, Roosevelt and Stalin, 1943).

Thus, the United Nations’ own narrative of its history places these events and their commitment to a common goal of peace as pre-cursors to the development of the United Nations as an institution before its official birth in 1945 in San Francisco. These events are framed in terms of a collective agreement to develop a system based on international cooperation and, importantly for the focus of this thesis, an emphasis on the responsibility of particular nations to oversee this system’s development.

The next page in the United Nations history storybook concerns the Dumbarton Oaks conference in October of 1944, at which a ‘blueprint’ for the structure of the envisaged new world organisation was to be developed in order to be accepted by all nations of the world that were united in their aims for peace (United Nations, 2016). The Dumbarton Oaks conference saw representatives from the United States, the United Kingdom, China and the Soviet Union meet to discuss proposals for the structure of the United Nations. The Dumbarton Oaks proposals, formally known as ‘The Washington Conversations on International Peace and Security Organization’, contained points on broad aspects of the United Nations such as its purposes and principles, membership and the principal organs, as well as going into more specific detail about how these organs should function (Dumbarton Oaks, 1944). Crucially, this involved a discussion of the role of the Security Council as it was envisaged by those four powerful nations in attendance. According to the United Nations

history books, the essence of the Dumbarton Oaks proposals was that the responsibility for the prevention of war should fall to the Security Council rather than the General Assembly, which was to be made up of five permanent members (the United States, the United Kingdom, China, the Soviet Union and France) and six non-permanent members who would each serve a term of two years (United Nations, 2016). The issue of voting within the Security Council was left open to be discussed at a later date, but otherwise these proposals were put forward and ‘...fully discussed throughout the Allied countries,’ with extensive media coverage allowing people living in the Allied countries to assess the worth of the plans for ensuring international peace (United Nations, 2016). The final pre-San Francisco meeting to discuss the plans for the United Nations was at Yalta in February of 1945. Churchill, Roosevelt and Stalin met to resolve the all-important question of voting within the Security Council, and upon doing so sent out invitations to the San Francisco conference, which was to begin on March 5<sup>th</sup> 1945 (United Nations, 2016).

With discussions and preparations for the United Nations having occurred in Moscow, Tehran, Washington and Yalta throughout the early 1940s following the Atlantic Charter, forty-five nations were invited to attend the conference in San Francisco, which signified the official birth of the United Nations as an institution. In attendance were ‘...representatives of over eighty per cent of the world’s population, people of every race, religion and continent; all determined to set up an organization which would preserve peace and help build a better world’ (United Nations, 2016). The conference was organised around four commissions, representing the four key sections of the planned United Nations Charter, each to discuss the proposals that were made at Dumbarton Oaks; general purposes, the General Assembly, the Security Council and the International Court of Justice (United Nations, 2016).

Unsurprisingly, one of the most contentious points in developing the Charter was the issue of veto power within the Security Council. The United Nations describes the resolving of this issue as follows:

‘The smaller powers feared that when one of the "Big Five" menaced the peace, the Security Council would be powerless to act, while in the event of a clash between two powers not permanent members of the Security Council, the "Big Five" could act arbitrarily. They strove therefore to have the power of the "veto" reduced. But the great powers unanimously insisted on this provision as vital, and emphasized that the main responsibility for maintaining world peace would fall most heavily on them. Eventually the smaller powers conceded the point in the interest of setting up the world organization. This and other vital issues were resolved only because every nation was determined to set up, if not the perfect international organization, at least the best that could possibly be made’ (United Nations, 2016).

Thus, by its own admission, the United Nations was plagued from the outset by power struggles between the world’s most powerful nations and those smaller nations struggling to make their voices count, if they were to be heard at all. However, these issues were seemingly resolved in the vein of working towards a greater good, the Charter was signed by all nations in attendance and the United Nations as we now know it officially came into existence on October 24<sup>th</sup> 1945, following the ratification of the Charter by the governments of China, the United Kingdom, the United States, the Soviet Union and France (United Nations, 2016).

The United Nations history of its own existence therefore tells us a very particular story. Starting with a meeting between Winston Churchill and Franklin D. Roosevelt, it constructs a narrative of democratic progression

from an initial commitment to common principles of peace to a formal pledge of global cooperation by eighty percent of the world's population. This narrative focuses on the United Nations as a novel approach to international relations following the horrors of the Second World War, and as the result of free and open debate between all nations, signifying a united promise to prevent conflict. Whilst it acknowledges that there were instances of tension and disagreement throughout the initial stages, it argues that these were dissolved through a process of negotiation and compromise in order to succeed in creating the organisation as it was envisaged.

This narrative, to varying degrees, has been replicated and reinforced within historical and political accounts of the development of the United Nations as an institution. These accounts show a particular focus on the United Nations as distinct from its chronological predecessor, the League of Nations, supporting the idea of the United Nations as a novel institution that we see in its history of itself. Leland Goodrich's account of the history of the United Nations, named simply *The United Nations* (1959), argues that the outbreak of the Second World War indicated the failure on the behalf of the League of Nations as an international organisation and that no attempt was made to strengthen the League in order to make it more effective, but that it was to be abandoned and replaced with a new structure of global cooperation (Goodrich, 1959: 20). Accounts such as Goodrich's emphasise the novelty of the United Nations as an institution in the same way as the United Nations' history of itself. Whereas the aim of the League of Nations was perceived as an agreement between states to abstain from conflict, the accounts of history we see from Goodrich and others argue that the events of the Second World War '...strengthened the search for a "common law of mankind" under which the rights of the human person, whether individual or in association with his fellows, could

be more effectively protected' (Goodwin, 1971: 29). This argument follows the line that the uniqueness of the shocking events of the Second World War highlighted the fact that the League of Nations was not equipped to deal with international relations and as such, a new organisation capable of preventing these atrocities needed to be developed. Within these accounts, the Second World War is viewed as the catalyst for the development of a new organisation to deal with international peace and security (Nicholas, 1975:1). This new organisation represented a fresh start from the League of Nations, allowing the leading governments to distance themselves from its reputation as a failure (Baehr and Gordenker, 2005: 7). The events of the Second World War were seen as a clear sign that the existing agreement between particular states in the form of the League of Nations was no longer relevant and a clean break was required in order to move forward and to prevent future wars on this scale. The new organisation had to ensure that the failures of the League of Nations would not be repeated (Hanhimäki, 2008: 12).

The United Nations Conference on International Organization (UNCIO) at San Francisco is often the focus of these standard accounts of the history of the United Nations. Once they have established the United Nations as a unique organisation, embodying the lessons taught by the perceived failure of the League of Nations, these histories turn to San Francisco as its birthplace. The negotiations around what would become the Charter of the United Nations are seen to have taken place in two stages: firstly through an agreement by the major powers over what were considered to be the main questions, and secondly through a universal conference of potential member states at San Francisco (Hurd, 2007: 85). The conference at San Francisco therefore becomes evidence of the universalism of the United Nations in contrast to the League of Nations. In his two volume book, *A History of the United Nations* (1982), Evan Luard frames San Francisco as a

space where for the first time, smaller nations were able to have their say in how this new world organisation would work (Luard, 1982: 36). Where the League of Nations was selective in its membership, the aim of the United Nations was universal membership and as such, the conference at San Francisco was designed to facilitate discussion between smaller states and the great powers, giving smaller states the opportunity to express their opinions on the draft proposals from Dumbarton Oaks and to influence the content of the Charter (Hurd, 2007: 88). This process of negotiation between smaller states and the global elite is reproduced in these accounts as an example of the way in which the United Nations dealt with the decline of empire and attempted to create a universal international organisation. These accounts of the United Nations' history claim that the League of Nations was never truly a global organisation due to the lack of representation for the colonies and that contrary to this, the United Nations embodied a 'new world order' to ensure representation for all (Kennedy, 2006: 45). However, these accounts do also recognise that in order for the United Nations to succeed, it was necessary for the world's major powers to take the lead.

The dominance of the sponsoring nations at San Francisco is frequently viewed as a simple reflection of reality as it was the British, American and Soviet forces that had together defeated the Axis powers and won the Second World War (Archer, 1992: 24). Although this dominance is recognised therefore, it is rarely problematised, due to the perceived universalism of the United Nations. As we saw in the United Nations' own narrative of its development, dominance in the form of the role of the Security Council and the permanent five members was a contentious issue at San Francisco. However, these standard histories argue that the process of discussion and negotiation that took place at San Francisco legitimates this structure, as ultimately the Charter was ratified by all states present

(Hurd, 2007: 108). The consensus appears to be that the agreement of all states to participate in the United Nations, represented by the signing of the Charter, is sufficient to prove that the dominance of the permanent five members of the Security Council was no longer a problem. Furthermore, the permanent five members are viewed as ‘...a directorate for governance with narrowly defined emergency powers...’ (Baehr and Gordenker, 2005: 5). The dominance of the major powers is therefore not seen as an issue within these histories, as their power was to be limited by the universalism of the United Nations as an institution and their leadership was supported by all those who signed the Charter at San Francisco.

However, not all of these standard histories are entirely uncritical of the United Nations and its development as an international institution, particularly with regards to the role of the great powers. Whilst the majority of these accounts argue that the leadership of the sponsoring nations was necessary in order to achieve international cooperation on matters of peace and security, there is also some level of scepticism within these accounts. Hilderbrand argues that the United Nations was never thought of as majoritarian in character and that it was understood from the outset that the major powers would have the ultimate authority despite the universalism of United Nations membership (1990:15). For the United States, the United Nations provided not only an opportunity to take centre stage in an international organisation, but President Roosevelt also used the development of the United Nations as a justification for United States involvement in the Second World War, framing it as a longer term project of global security (Hilderbrand, 1990: 5). The critiques within these standard histories of the United Nations are therefore usually representative of a feeling of scepticism around the intentions of the great powers.

Nonetheless, these commonly accepted accounts of the development of the United Nations as an institution, both within the United Nations' own narration of its history and within academic accounts, are united in certain aspects. These histories, told by academics such as Goodrich (1959) and Goodwin (1971) frame the United Nations as an original response to the horrors of modern existence, and as a democratically evolved structure, embodying principles of global cooperation and international peace. Even where accounts are critical about the dominance of the major powers, they are united with the arguments of Luard (1982) in their acceptance of the United Nations as providing a space for smaller powers to play a role in international peace and security. The universalism of the United Nations as an organisation is legitimised through the framing of the United Nations Conference on International Organisation at San Francisco as a negotiation exercise and the inclusion of smaller powers is seen as an appropriate response to the decline of empire.

What is missing from these histories of the United Nations and what will form the basis of the alternative narrative to be explored throughout the following chapters, is an account of colonialism and how this allowed particular countries to dominate the United Nations in the first place. Whilst a number of these accounts recognise colonialism as a historical phenomenon, this is only ever acknowledged as something that has been overcome by the development of the United Nations. Within these accounts, the problem of colonialism is solved by the inclusion of former colonies as member states (Baehr and Gordenker, 2005: 114). They suggest that once former colonies have been granted sovereign status and formal independence, colonialism ceases to be a problem. This fails to acknowledge and in fact obscures the fact that the sovereignty granted to former colonies is not on par with the sovereignty held by European states. Non-European sovereignty is distinct and inherently vulnerable due to its

reliance on the system of international law (Anghie, 2005: 6). This approach to colonial power relations that we see within the context of standard histories of the United Nations is therefore insufficient and fails to acknowledge the process by which particular countries came to be great powers whilst others had to have independence granted to them. Furthermore, former colonies have only succeeded in being granted formal independence through adherence to Western ideas of progress and their independence was contingent upon their cooperation with newly generated systems of control (Rajagopal, 2003: 72). These will be referred to throughout the following chapters as neocolonial technologies of power, and it will be argued that these continue to operate in contemporary international politics. Whilst these nations may have been granted independence in a formal sense, the fact that this had to be *granted* to them at all highlights the continuing significance of the colonial encounter and points towards problematic hierarchies of power. These arguments will be developed further in the chapters that follow. For the purposes of this chapter, this standard history will now be challenged through a process of disrupting the dominant discourses that have been examined in this section, arguing that in order to fully understand the continuation of colonial power relations today, it is necessary to see the United Nations not as a revolutionary approach to international relations but as an extension of its predecessor, the League of Nations.

## **‘Evolution Not Revolution’: From the League of Nations to the United Nations**

To be explicit, the argument of this section is that in contrast to the standard histories that present it as a novel institution, the United Nations was in fact ‘the product of evolution, not revolution’ (Mazower, 2009: 17). Where the birth of the United Nations is usually presented as a particular moment in history and as the dawn of a new era in international organisation, this section will suggest that the United Nations has a much stronger basis in the League of Nations than is usually acknowledged. In order to understand the impact of colonial power relations on the contemporary relationships between the most and least powerful nations of the world, it is necessary to reconsider the history of the United Nations and to disturb the dominant discourses of equality upon which the organisation is based through taking into account the relationship between the two institutions. The League of Nations is often cited as the predecessor to the United Nations chronologically, but as we have seen in the examination of the standard historical narrative, there is a strong desire to view the United Nations as a clean break and as a new, more inclusive organisation. There is an attempt to view the Second World War as a rupture in international politics that signaled the need for an entirely new approach to governing the relationships between states and a new form of international organisation that would prevent war and maintain security.

However, if we reject this narrative of rupture and see the United Nations not as a unique institution but as a rebranding and continuation of the League of Nations, the colonial history it wished to forget becomes much more apparent. What follows here is the initial presentation of an alternative historical narrative that will be developed throughout the

following chapters. This section will continue to disrupt the dominant discourses of equality and universality that surround the United Nations by highlighting its colonial origins through an examination of its relationship to the League of Nations. If we understand the ways in which the League of Nations was inherently colonial and reject the understanding of the United Nations as an original institution, we are able to understand more fully the perpetuation of colonial power structures in the contemporary international context.

'The Covenant of the League of Nations' was signed on June 28<sup>th</sup> 1919 and signified a commitment by the largely European founding members of the League of Nations to attempt to put an end to the 'international anarchy' that had been the result of traditional approaches to peacekeeping (Birn, 1981: 6). The outbreak of the First World War in 1914 had suggested that previously existing diplomatic strategies were ineffective for dealing with global relations and that an international union of nations would be necessary in order to deal with and, where possible, to prevent future conflicts. The founding members of the League of Nations clearly hoped that this permanent coalition of states would bring about the abolition of war on a global scale and that international relations as a result of this permanent cooperation would be significantly less hostile.

With this objective in mind, the Covenant itself states that signing parties agree to:

'Obligations not to resort to war...open, just and honourable relations between nations...the firm establishment of the understandings of international law as the actual rule of conduct among Governments...respect for all treaty obligations in the dealings of organised peoples with one another...' (League of Nations, 1919).

These foundational principles upon which the League was based were designed 'in order to promote international co-operation and to achieve international peace and security...' (League of Nations, 1919). Thus, the language used in the first section of this governing document clearly sets out ideals of international cooperation in promoting peaceful relations, but with a solid foundation in international law as the basis for relationships between states. It also frames peaceful relations between nations as an 'obligation', that is, as a duty or responsibility of 'organised peoples', rather than as a choice for states in their dealings with others.

The Covenant goes on to detail specific strategies for the maintenance of international peace and security. Article 8 of the Covenant states that '...the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety...' and that members of the League agree to '...interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries are adaptable to war-like purposes' (League of Nations, 1919). This suggests the idea that in order for states to be able to interact peacefully with one another, there must be little possibility for military aggression. The Covenant therefore symbolised a commitment to a universal alliance of states, particularly with regard to issues around international peace and security, in place of the numerous and evidently unsuccessful pre-World War One alliances between individual states.

Where previous alliances had been between individual states or small groups of states, the League of Nations represented a somewhat broader cooperation between nations with regards to the prevention of global conflict. In creating an international organisation of states in this way, the League of Nations had hoped that the most powerful nations would be

able to work together to provide collective security on a larger scale than previously possible (MacQueen, 2011: 6). Nonetheless, as with any international institution, the reality and the ideal were poles apart. Although in theory the League of Nations was to be a universal coalition of states, the reality was that membership was limited and eurocentric, giving no voice to those countries under colonial rule and providing a great deal of protection to the idea of national sovereignty (Schlesinger, 2003: 17). The League of Nations in reality was an agreement between the world's major powers of that time to prevent conflict on a similar scale to the First World War, failing to address the inequalities inherent in the colonial system. Universality in this case was only in terms of the inclusion of imperial states.

Indeed, certain aspects of the League of Nations encouraged the continuation of colonial rule and this is particularly apparent in an examination of the Mandate System. Following the end of the First World War, Article 22 of the Covenant of the League of Nations established a system for dealing with territories that had previously been colonies of the defeated empires. Article 22 states the following:

'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' (League of Nations, 1919).

Rather than seeking independence for the colonies that had ceased to be under to control of their colonisers, the League of Nations developed a system which stated 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 the responsibility, and who are willing to accept it...’ (League of Nations, 1919). These former colonial territories were split into three categories: A, B and C mandates. A Mandates consisted of the former colonies of the Ottoman Empire such as Iraq, Palestine and Syria, and under Article 22 of the Covenant, these territories were considered to have ‘...reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone’ (League of Nations, 1919). These territories were considered ‘developed’ to the degree that they no longer required direct supervision from an imperial centre and could be recognised as independent states. Category B mandates included Cameroon and Togo, German East Africa and Rwanda-Burundi and were subject to full administrative control of the mandatory power (League of Nations, 1919). Category B territories were considered to be at such an early stage in the development process that they required administrative supervision from an imperial power. Finally, Category C mandates included territories such as South-West Africa and the South Pacific Islands. These territories were to become ‘integral portions’ of the mandatory power’s territory, due to ‘...the sparseness of their population, or their small size, or their remoteness from the centres of civilization...’ (League of Nations, 1919). These territories were either too small or too remote to be considered for independence by the League of Nations and as such, were to be integrated into existing empires.

This system of control developed by the League of Nations to deal with colonial territories reinforces ideologies of civilisation and progress, whilst attempting to disguise the relationship between these ideas and the violence of colonial rule. Rather, the mandate system is the beginning of the move from an arrangement of direct colonial rule to a system of indirect colonial rule through the idea of development (Rajagopal, 2003: 50). The distinction between category A, B and C mandates reiterates the notion of civilisation as a linear progression, with those countries who are furthest away from European cultural values being subject to the strictest level of supervision, with remote or sparse territories being fully integrated into empires due to the fear that they may never adhere to European values without such intense supervision. The very idea of 'tutelage' as outlined in Article 22 of the Covenant again reinforces this problematic notion of European culture as the height of civilisation and the idea that in order for these territories to be granted sovereignty, they must adopt European cultural values. The significance of the mandate system will become more apparent once we begin an examination of the development of the United Nations as an institution and its desire to distance itself from the League of Nations and from the question of colonialism.

Despite the League's written intention to develop a system capable of maintaining international peace and security, it proved to be relatively ineffective, as 1939 saw the outbreak of the Second World War and calls for the need for a more effective way of dealing with international conflict, which is where discussions around the United Nations pick up. In reality, the failure of the League of Nations was partly the result of an absence of involvement on the part of two key governments – the United States and the Soviet Union – and the success of any following international institutions would be reliant upon their involvement, which required some degree of re-branding (Hilderbrand, 1990: 92).

The concurrent timing of the development of the United Nations with the United States involvement in World War Two meant that President Roosevelt was able to use the United Nations to justify American involvement in the war by constructing its ultimate purpose as something longer-term (Hilderbrand, 1990: 5). If the United States could be seen as participating in a global organisation to prevent breaches to the peace, their involvement in the Second World War as part of this process could be justified. Thus, the disassociation between the League of Nations and the United Nations was less a case of difference in objectives; after all, both organisations had international peace and security as their primary purpose, and more a case of political PR. The aim was to create an organisation capable of dealing with international relations on a global scale, but this time, with the support of the United States and the Soviet Union. Leaders were able to disconnect the United Nations from its predecessor by framing its development as a response to the Second World War, supporting enlightenment ideas of universalism and progress, as signifying a new world order, rather than as a continuation of existing global power relations. The rising power and influence of the United States at this time therefore made their involvement essential.

This approach to understanding the history of the United Nations highlights the relationship between the United Nations and the League of Nations, indicating the inaccuracies of the standard narrative of rupture between the two organisations that allows for a dominant discourse of equality to be associated with the United Nations. If instead, we understand the United Nations as the product of a PR campaign to protect the relationships between the major powers of the League, but also to create an organisation that included the rising powers of the time, we are able to disturb these dominant discourses. This reconsideration of the history of the United Nations provides a base from which we can understand the

relationship between the United Nations and colonialism, showing the extent to which colonial power structures were built into the organisation from the very beginning. In re-narrating the history of the United Nations and highlighting the significance of colonialism within this, this thesis will emphasise the continuation of these power structures in contemporary contexts, even following formal decolonisation.

### **The United Nations in the Contemporary World**

Having explored the founding of the United Nations, its aims and its structure, it is worth briefly reflecting upon the differences in the world that the United Nations is trying to protect 70 years on from the signing of the Charter. At its birth in 1945, the United Nations was dealing with the recovery from two world wars in historically short succession. The purposes and ideals behind the role of the United Nations were made fairly clear and reasonable through a commitment to 'save succeeding generations from the scourge of war, which twice in our life-time has brought untold sorrow to mankind' (United Nations, 1945). In 2016, the issues the United Nations faces are somewhat different. Chapter 7 will explore some of the developments in United Nations policies on intervention over the course of the 70 years of the organisation's existence and how this was influenced at particular periods in time by what was happening in the world, in order to give an example of the different focus of the United Nations now in comparison to its early years. Here however, it is useful to examine more broadly the role the United Nations plays and has played in recent years. This section will outline some of the key developments in the rhetoric of the United Nations since the turn of the twenty first century.

The Millennium Declaration in 2000 put forward the following six values as 'essential to international relations in the twenty-first century': freedom, equality, solidarity, tolerance, respect for nature and shared responsibility (United Nations, 2000). These six fundamental values were then translated into key objectives for the United Nations in the twenty first century, falling into the categories of peace, security and disarmament; development and poverty eradication; protecting our common environment; human rights, democracy and good governance; protecting the vulnerable; meeting the special needs of Africa; and strengthening the United Nations (United Nations, 2000). In contrast to the Charter then, the focus in the twenty first century shifted to not only deal with issues of international conflict and disagreement between states, but to understanding the United Nations fundamentally as a responsible agent in the development of all of the world's nations and as a collective protector of the environment and the world's most vulnerable people. The focus on the 'special needs of Africa' suggests some level of acknowledgement that the world is not equal and that particular geographical regions are in need of a greater level of support, whilst also neglecting to take responsibility for the history behind Africa's 'special needs'. Similarly, the identification of poverty eradication as a key goal for the United Nations implies a recognition of inequality both within and between countries. Where the original declaration of the Charter had focused on maintaining international peace and security through an agreement between states to prevent war, the Millennium Declaration frames the United Nations as much more of an active agent in dealing with a wide range of issues around the globe.

This declaration was followed in 2005 by the Outcome Document of that year's World Summit, which saw the reaffirmation of the values of the Millennium Declaration as well as an increased focus on terrorism as a

fundamental and immediate threat to international peace and security (United Nations, 2005). The events of September 11<sup>th</sup> 2001 in the United States and the conflict that followed had clearly been a catalyst in this push towards developing strategies to deal with terrorism, but also in reiterating the fundamental principles of the United Nations and attempting to restrain unauthorised action. This is implicitly suggested when the Outcome Document states:

‘We therefore reaffirm our commitment to work towards a security consensus based on the recognition that many threats are interlinked, that development, peace, security and human rights are mutually reinforcing, that no State can best protect itself by acting entirely alone and that all States need an effective and efficient collective security system pursuant to the purposes and principles of the Charter’ (United Nations, 2005: 21).

The focus here was arguably on proving the continued relevance of the United Nations in a contemporary context where individual states both have the power and the desire to act alone without the support of an international organisation. The concerns in recent years then have been around threats that go beyond national boundaries and are not concerning conflict between particular states, but are about international threats that affect the entire global population, whether these are issues of development, environmental concerns or participating in the ‘war on terror’.

The period between the Millennium Declaration and the 2005 World Summit saw some key developments in United Nations policy, that are particularly significant for the arguments being developed here, around intervention and the use of force and these will be discussed in much more detail in Chapter 7. It is clear however that the United Nations recognised

the ability of states to act alone and the conflicting perspectives between states in dealing with such global issues. These documents contain an implicit plea to the world's major powers to continue to support an international organisation that has become increasingly trapped by inter-state conflict.

At present, the United Nations displays itself as working towards five key goals: maintaining international peace and security, promoting sustainable development, protecting human rights, upholding international law and delivering humanitarian aid (United Nations, 2016). In line with the Charter, the maintenance of international peace and security is highlighted as the fundamental purpose of the organisation. It argues that peace and security is maintained through the complementary strategies of preventative diplomacy and mediation, peacekeeping, peace building, countering terrorism and disarmament (United Nations, 2016). The 'war on terror' therefore still features as a key aspect of the United Nations' work since 2001, as well as continuing work to prevent conflict before it arises through diplomatic approaches. Strategies for dealing with breaches of international peace and threats to international security have been contentious issues within the United Nations in recent years and it is the role of the Security Council in dealing with such issues that will become the focus of the critique provided throughout the following chapters.

To move this discussion into the context of the most recent debates, a key issue for the United Nations in the contemporary world has been developing within the geographical context of the Middle East and North Africa. The past five years have seen continuing conflict in this region as a result of the revolutionary protests that began in 2011 that have come to be known as the 'Arab Spring'. The self-immolation of Mohamed Bouazizi in Tunisia on December 17<sup>th</sup> 2010 signified the start of a wave of anti-

governmental uprisings across the Arab world (Dickinson, 2013: 105). The period between then and now has seen the development of a number of conflicts between governments and pro-democracy protestors across the region, some of which have seen more United Nations involvement than others. Most significant within the United Nations context have been the revolutionary uprisings in Libya and Syria, as these two conflicts have seen extensive debate within the international community and particularly within the Security Council. The role of the United Nations within this context has been heavily criticised in the media due to its selective response to the conflicts and the prevention of meaningful action by the Security Council (Weiss, 2014: 13).

In March 2011, Resolution 1973, adopted by a meeting of the United Nations Security Council authorised the use of 'all necessary measures' under the principle of Responsibility to Protect in order to protect civilians in Libya from the violence of the Gaddafi government (Crook, 2011: 571). The escalating tension and aggression between rebel groups and the Libyan government was such that an international response was deemed necessary in order to maintain international peace and security. This Security Council Resolution was the first instance of the authorised use of force against the wishes of a functioning state (Bellamy and Williams, 2011: 825). Never before had the Security Council authorised the use of force without the consent of a government that was still in power. In this sense, the intervention in Libya was a significant decision on the part of the Security Council and appeared to represent a commitment to a responsibility to protect civilians, rather than a responsibility to respect the authority of governments. However, as the intervention in Libya unfolded, concerns were raised around the relationship between the implementation of policy by the Security Council and the unequal power relations within the United Nations (Mahdavi, 2012: 267). Whilst the United Nations

claimed publically to be acting in the interests of international peace and the protection of Libyan civilians, the intervention was heavily criticised on the basis that the Security Council may in fact be acting in the interests of the major powers and in order to promote regime change (Bellamy and Williams, 2011: 846). The protection of innocent civilians in such conflicts is undoubtedly a responsibility that the international community should take seriously. However, this conflict raised serious questions about the relationship between protecting civilians and promoting a change in regime in Libya that would better suit the interests of the world's major powers. These concerns were reiterated even more strongly once the uprising in Syria began and the Security Council failed to agree upon a response in spite of similar conditions.

Despite the violence of Syria's government, led by President Assad, and the death of large numbers of civilians as well as huge numbers of displaced people, the Security Council has been unable to intervene due to the continued use of veto power by the Russian and Chinese governments (Weiss, 2014: 13). The Russian government, backed by the Chinese government, has consistently blocked Security Council proposals for a full intervention in Syria, bringing the Security Council to a standstill on the issue. The situation in Syria has therefore highlighted the ability of the Security Council to act selectively in dealing with conflicts, particularly when the interests of the permanent five members are not being met. The fact that the Security Council can authorise the United Nations to intervene in Libya and not in Syria emphasises the real and significant power that the permanent five members of the Security Council have in terms of dealing with conflict. The selective response to conflict that has been seen in the past five years has also led to a questioning of the contemporary relevance of the United Nations. If it can be prevented from taking action within the context of a civil war that has resulted in an enormous number of refugees,

the conflicts in the Middle East and North Africa have highlighted the real extent to which the United Nations is run by its most powerful members.

## **Conclusion**

This chapter has provided a broad overview of the United Nations, whilst also introducing some of the underlying critical themes of the thesis. Beginning with an examination of the purposes and the structure of the organisation, it has outlined what the United Nations is and what it claims to set out to do in terms of regulating international relations. Here, the power differentials between the different factions of the organisation have been introduced and this will continue to be a theme throughout the following chapters.

The second section of the chapter introduced the standard historical narrative of the United Nations at which the critique that follows in the rest of the chapters will be aimed. Some of the particular critiques of this history have been initiated here, such as the absence of colonialism and its fundamental significance for the founding of the United Nations, but these will be explored in much more detail throughout the remaining chapters.

This standard narrative was followed by a reconsideration of the history of the United Nations that emphasised its relationship to the League of Nations. Arguing against the standard narrative of rupture between the two organisations that allows for the United Nations to be understood as an institution committed to equality, this chapter has followed Mark Mazower's proposal that the United Nations is in fact the product of 'evolution not revolution' (2009: 17). If we understand the United Nations to be a continuation of the League of Nations, but with the addition of the

newer major global powers, we are able to see the ways in which the colonial power relationships that formed the basis of the League of Nations have been developed into new systems of control, masked by the dominant discourses of equality, notions of rupture and a rhetoric of originality or novelty that surround the formation of the United Nations.

Finally, this chapter has provided a context for the thesis overall in terms of questioning the ability of the United Nations to handle the global issues of contemporary international politics. The ability to act selectively in dealing with conflicts such as those continuing in the Middle East and North Africa prompts a question about what the role of the United Nations is in the contemporary world and the extent to which it is able to fulfil this role within the current structure of the organisation. The world and international politics have clearly changed in a number of ways since the Charter was written in 1945 and the extent to which it is reasonable or sensible to have an international organisation dominated by five major powers is questionable. What the following chapters of this thesis aim to do is to develop an understanding of the historical development of the United Nations as an institution, in order to understand how it is possible for an organisation claiming to act in the interests of international peace and security to be so hugely dominated by such a small number of states.

## **Chapter 2: Postcolonialism, the United Nations and Sovereignty**

‘Colonialism becomes the past property of individual nation states to be displaced by a new narrative of European integration free from the strain of colonialism. By erasing the colonial past, the postcolonial present of Europe and European states is also disavowed’ (Bhambra, 2014: 155).

### **Introduction**

This chapter will ground the theoretical claims of Chapter 1 in postcolonial theory and provide the theoretical basis for the thesis as a whole, drawing upon literature from prominent postcolonial theorists. It will begin by providing a postcolonial critique of the United Nations, exploring the significance of colonialism within the founding stages of the institution and arguing that the United Nations is a fundamentally postcolonial organisation, perpetuating unequal power relations through neocolonial technologies of power and justifying this through problematic discourses of development that centre around characterisations of different parts of the world as ‘civilised’ and ‘uncivilised’.

This chapter will also introduce some significant debates relating to the concept of sovereignty within the United Nations, which will be explored in more detail in Chapter 5. It will argue that the basis of the United Nations in the concept of sovereignty and the framing of the organisation as an interaction between sovereign states overlooks the history of sovereignty as a concept and its relationship to colonialism. Indeed, it is rarely acknowledged that the emergence of international law as we understand it today was concurrent with the height of colonial domination (Megret,

2006: 269). The purpose of this chapter is to emphasise the relationship between the two that has been lost in the majority of the accounts of the modern world. Once we understand that sovereignty has a colonial history, international institutions with sovereignty as their foundational principle become more problematic and claims to equality are exposed as somewhat misleading. Add to this the unwillingness of the sponsoring nations of the organisation to include decolonisation on the agenda in discussing the structure of the United Nations and the power relations inherent in its development become much more apparent.

So, if we understand the United Nations as both underpinned by principles and concepts – such as sovereignty - that are inherently colonial, and illuminate the silencing of colonial issues in its development, it is easier to see how colonial power relations are inextricably built into the United Nations as an institution. In understanding how colonialism influenced international institutions at their formative stage, it is possible to highlight issues of colonial power that continue in these institutions now (Anghie, 2005: 117). In their neglect of colonialism as an issue at the founding of the United Nations, the standard histories detailed in the previous chapter contribute towards the perpetuation of discourses of development and civilisation that legitimate the dominance of the world's most powerful nations within international institutions.

The attempt here to highlight the silencing of the United Nations' colonial past follows Bhambra's line of argument that '...if our understandings of the past are inadequate it follows that our grasp of the present will also be inadequate' (2007: 2). If we accept the standard accounts of the history of the United Nations and fail to recognise the intricate ways in which colonialism was inherent in this, our understanding of contemporary issues will also be flawed. Where the previous chapter followed this line of

argument in providing a re-narration of the history of the United Nations, the purpose of this chapter is to locate this alternative historical narrative within the context of postcolonial theory and postcolonial literature, in order to provide a framework for understanding the chapters that follow. It will provide a brief introduction to postcolonial theory more broadly, before moving on to look at some of the specific critiques of the United Nations developed by postcolonial theorists, and finally providing a critique of international law and the concept of sovereignty from a postcolonial perspective.

### **A Postcolonial Critique of the United Nations**

Postcolonial theory has been described by Leela Gandhi as ‘...a theoretical resistance to the mystifying amnesia of the colonial aftermath’ (1998: 4). Where it is commonly understood that colonialism ended with the formal process of decolonisation and the granting of independence to colonial states, postcolonial theory represents a challenge to the desire to understand colonialism as a distinct period in history and instead wishes to uncover the many ways in which colonial power relations have structured the contemporary world. It represents a desire to oppose the ability for particular nations to frame uneven global development as natural (Bhabha, 1994: 246). Postcolonial theory opposes the ability of the West to frame its development as a natural phenomenon, obscuring the violence and exploitation of colonialism. Furthermore, for postcolonial theorists, the power relations inherent in the colonial encounter have contributed to the structuring of the contemporary world in a way that cannot be undone simply through the process of decolonisation and independence. As such, the primary aim of postcolonial theory is to identify and draw attention to the ways in which colonial power relations continue to be significant.

The 'post' of postcolonialism is not a signal therefore that we exist in a time after colonialism, but forms an understanding that the world we live in has been definitively shaped by the existence of colonial power relations and that in order to understand the contemporary world, this fact needs to be acknowledged and must form a key part of our analysis of the present situation (Seth, 2013: 1). For postcolonial theorists, it is not enough to analyse contemporary problems in terms of their immediate context. Rather, it is important to understand the varied and numerous ways in which colonialism as a process constructed the modern world. In order to fully understand contemporary issues, we must always explore them within the historical context of colonialism. In this way, postcolonial theory represents a direct challenge to the conceptualisation of the world as no longer colonial. Instead, it argues that the continued existence of the inequalities inherent in colonialism make this conceptualisation inaccurate (Loomba, 1998: 7). Whilst we continue to live in a world where some are rich whilst others are poor and where power is not equally distributed, it is impossible to argue that we are beyond colonialism and its effects. Throughout the following chapters, this way of thinking will be used in order to understand the ways in which the United Nations has been able to construct itself as an institution based on equality and democratic representation, despite its intense relationship with colonialism. The chapters that follow will explore the implications of this obscuring of colonial power for contemporary issues in international politics, particularly focusing on the issue of intervention in Chapter 7. The topics discussed here are an attempt to disturb the dominant narratives of equality that surround the United Nations and problematise some its core principles of progress and development from a postcolonial perspective, in order to emphasise the ways in which the United Nations is involved in the perpetuation of unequal global power relations that have their basis in the

colonial encounter. The arguments that will be developed here are done so in the spirit of postcolonial theory, which seeks to disrupt the ideologies of modernity that allow for the uneven development of the world and the severe disadvantage of particular nations to be viewed as natural (Bhabha, 1994: pp. 245 – 246). The purpose of disrupting the dominant discourses that surround the United Nations and its development is to disturb the established understandings of the contemporary world order as legitimate and in any way natural. Rather, one of the key claims being made throughout the course of this thesis is that the existing world order is the result of colonial violence and domination that is in no way justifiable. In focusing on the role of international institutions in maintaining this global hierarchy, a number of postcolonial critiques of the United Nations will now be outlined with the aim of disrupting the dominant discourses that will be challenged throughout this thesis.

As previously noted, the United Nations' core governing document, the Charter of the United Nations, constructs it as an institution committed to the equality of all nations and frames the United Nations as a innovative response to the Second World War with reference to saving '...succeeding generations from the scourge of war, which twice in our life- time has brought untold sorrow to mankind' (United Nations, 1945). However, this narrative is largely inaccurate and rather, we should see the United Nations not as an original organisation which was developed in response to the horrific events of the Second World War, but as a product and continuation of the institutions that preceded it, namely the League of Nations (Mazower, 2009: 17). As was outlined in the previous chapter, if we see the United Nations not as an original response to the Second World War but as a continuation of its chronological predecessor, the relationship between the United Nations and the colonial powers becomes much more apparent. Following this analysis, the United Nations becomes simply the next

chapter in the history of international political organisations that started with the League of Nations. As such, the United Nations is linked to the issues of colonialism and its associated understandings of global order that accompanied the League of Nations (Mazower, 2009: 14). As the League of Nations was so heavily dominated by colonial powers, including this as part of the historical narrative of the United Nations and challenging the idea of a distinct temporal and ideological break separating the two organisations makes the ways in which the United Nations dealt with, or more accurately failed to deal with, questions around colonial domination all the more significant.

In addition to the idea that the United Nations was developed in response to the Second World War, another common mystifying factor in the relationship between the United Nations and colonialism is the process of decolonisation. The conventional narrative is that the United Nations supported colonies in achieving independence through the system of trusteeship which reached its endpoint in the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960) that signified the end of colonialism, with colonialism ceasing to exist or have any influence on the world once all former colonies were granted independence. This narrative is exactly what is being challenged here: the idea that the formal process of decolonisation and the granting of independence to former colonies ended colonial influence and power structures. As the influential postcolonial theorist Frantz Fanon clearly states: 'colonialism and imperialism have not paid their score when they withdraw their flags and their police forces from our territories' (1967 [1961]: pp.79 – 80).

This turn towards anti-colonialism and independence within the rhetoric of the United Nations obscures the fact that the United Nations is in itself a

product of empire (Mazower, 2009: 17). The United Nations ultimately developed out of the dissolution of the League of Nations following its failure to prevent the Second World War, and the need to include the emerging global powers of the United States and the Soviet Union. The colonial power relations inherent in the League of Nations were carried through to the United Nations from its very beginnings, through the power structures that are integral to its organisation. To assume that colonialism ceased to have an impact upon the United Nations as an institution once the colonies were granted formal independence therefore disguises the various ways in which colonialism was foundational to the United Nations' construction. Rather, as will be seen in more detail in later chapters, the process of formal decolonisation was bound up in the development of new structures that would allow for the continuation of forms of imperial control. These neocolonial technologies have been developed in the place of colonial mechanisms of power in order to exercise control, primarily through economic or financial means (Nkrumah, 1965: ix). The maintenance of colonial power structures was key to the expansion of the United Nations as an international institution during the period of decolonisation.

The significance of colonial power relationships in the construction of the United Nations is further emphasised by its central importance for the major powers within initial discussions to develop a new international organisation towards the final years of the Second World War. The Atlantic Charter signed by the British Prime Minister Winston Churchill and United States President Franklin D. Roosevelt in 1941 is a prime example of this. The Atlantic Charter reflected a conflict between the United States' desires for decolonisation and the development of colonies into independent states that could participate in a world system of free trade, and the British desire that colonies would become self-governing dominions with a close

connection to their imperial centres (Simpson, 2001: 235). Whereas Roosevelt saw decolonisation as an opportunity to expand the international system of free trade by including a larger number of countries, for Churchill, and for the other existing colonial powers, independence was not viewed as a logical outcome of colonial status (Gilchrist, 1945: 987). The idea that the colonies could function as independent states that were capable of participating in the international trade system was at odds with imperial understandings of colonisers acting as educators to the less civilised. If the colonies were granted independence and deemed able to participate in global systems at the same level as existing independent states, the entire historical system of colonialism would become unjustifiable and could only be understood as a simple act of violence and domination by imperial powers. As such, representatives of the United Kingdom had to argue for the continued relevance and importance of colonialism as a system of international organisation in order to justify previous years of domination.

For imperial states such as the United Kingdom, it was important to maintain an understanding of people in the colonies as unable to participate on their own in the global trade system. Decolonisation was therefore a contentious issue between the major powers involved in the formation of the United Nations, and Churchill insisted at the final meeting before the San Francisco conference of 1945 at Yalta on an assurance that no part of the British Empire would be put under United Nations' control without British consent (Baehr and Gordenker, 2005: 16). It seemed that for Churchill, the preservation of the British Empire was of greater importance than the establishment of a global political organisation. To write colonialism out of the history of the United Nations as an institution is therefore to construct an inaccurate representation of the United Nations' founding, as colonialism was a definite point of contention

between two of the major powers. However, despite the unwillingness of the colonial powers to discuss decolonisation, mounting public and international pressure at that time meant that something had to be done about the question of colonialism within the context of the United Nations. It became necessary for the founding members of the United Nations to justify the colonial relationship in the face of demands for decolonisation.

What resulted was a substantial focus on the idea of development, which had been established as a framework for understanding global relations within international political institutions during the League's years. Prior to the League of Nations' existence, 19<sup>th</sup> century Europe had seen a heavy focus on ideas of social progress, and closely linked to this, the idea of civilisation. A theory emerged that nations advanced through different stages of development, with Europeans believing that '...they were endowed with an advanced level of social complexity in opposition to "barbarous" nations, who could possibly acquire civilization if they conformed to certain values, or "savages", who were condemned to never access it' (Tarazona, 2012: 917).

Colonialism was the process by which Europeans came to understand themselves as superior, through their engagement with non-Europeans. As Said argues, colonialism was not just about the discovery of other cultures or 'the Orient' as is his focus, but it also allowed Europe to define itself as 'us' in contrast to 'them' (1995: 7). The process of colonialism allowed Europe to position itself as superior through the construction of East and West as inherently oppositional. Colonialism allowed the discovery of the 'backwards' East in relation to the superior West and given the context of European enlightenment, the East was constructed not simply as East but as 'the Orient' or 'non-Europe' (Said, 1995: 7). Such is the power of this ideology that Europe has come to be understood as the only source of

innovation and progress. As Bhabra argues, 'the rest of the world is simply the rest of the world with a negative designation; it is the non-West, the non-European, the Third World in contrast to the First, the underdeveloped in relation to the developed' (2007: 146). The process of colonialism was therefore not just a process of exploitation and violence, but it was also a process of identity construction. It was the process by which Europe became Europe with all the characteristics that entails, in direct opposition to non-Europe, and the construction of this identity inevitably involved the interaction between power and powerlessness (Said, 1995: 332).

Through colonialism and the construction of oppositional European and non-European identities, a global cultural hierarchy was established with Europeans at its peak, viewing themselves as naturally more socially advanced than other cultures, an idea consolidated by the development of Enlightenment thought throughout Europe. Although the end result would never be comparable to that of European society, there was an acceptance of the notion that some non-European nations could progress their way through the stages of development towards civilisation if they adopted certain cultural characteristics, which were those of European nations (Tarazona, 2012: 917). These Enlightenment ideas of progress and social advancement were applied to the colonial relationship, and rather than being understood as a system of direct control, exploitation or oppression, the colonial encounter was framed as a 'civilising mission' – a way for civilised nations to encourage uncivilised nations on the path to development (Anghie, 2005: 3). Rather than being understood as a system of direct domination, the 19<sup>th</sup> century saw colonialism presented as a way in which the uncivilised nations of the world could become civilised via the tutelage of the most advanced nations.

This civilising mission of colonialism and the ideologies of development and progress that accompanied it were significant for the policies developed by international institutions in mediating the relationships between different parts of the world. Following the First World War, colonies of defeated Germany and the Ottoman Empire became mandates under Article 22 of the Covenant of the League of Nations, as detailed in Chapter 1. Rather than be granted independence, these colonies were put under international supervision on the understanding that they were insufficiently prepared for self-government, as people in the colonies were widely characterised as lazy and lacking the entrepreneurship necessary to transform their traditional societies into modern ones capable of engaging in the global capitalist system (Rajagopal, 2003: 39). However, as the anti-colonial movement was beginning to expand, rather than being perceived as expanding their own empires or as discouraging independence for the colonies, the victors of the First World War framed this colonial system of supervision in terms of development. There was a move from colonies being directly controlled by individual empires to an understanding of colonising countries acting as educators, teaching people in the colonies how to be civilised, and the Mandate system of the League of Nations was the key institutional connection in this move from traditional colonialism to a discourse of development (Rajagopal, 2003: 50). These ideas of development and progress that emerged as ideologies in the League of Nations following the construction of European and non-European identities through the process of colonialism were key in continuing to legitimise the colonial relationship and the dominance of imperial powers, and these discourses continued after the Second World War and into the construction of the United Nations. Indeed in the chapters that follow, it will be argued that these postcolonial discourses of development and progress continue today as justification for the neocolonial mechanisms of control that we see in the United Nations.

The decolonisation movement had gained momentum in the years prior to the establishment of the United Nations, and anti-colonial groups had attempted to get the issue of colonialism onto the agenda for discussion at the United Nations Conference on International Organisation (UNCIO) in San Francisco in 1945. This anti-colonial resistance to the United Nations will be detailed in Chapter 4, but it is important here to note the responses to it and the techniques used by the major powers in order to transform understandings of colonialism from a relationship of domination to a relationship of tutelage, with imperial powers acting in order to encourage development. Despite this anti-colonial movement including the Soviets by the last meeting of the San Francisco conference, Western powers managed to avoid any concrete discussion of the core concerns of the anti-colonial movement - issues such as race, sovereignty, justice and decolonisation (Patil, 2008: 42). Conversations of this kind were limited to the transition from the mandate system of the League of Nations to the trusteeship system of the United Nations. These conversations will form part of the argument in Chapter 4, but what is significant for discussion here is the way in which the responses of the major powers to the concerns raised by the anti-colonial movement functioned in order to establish new systems of control and how this was enabled through existing discourses of development, civilisation and progress, continuing the work done by the mandate system in the League.

What we see in the United Nations is the growth of what Patil terms 'kinship politics', whereby two distinct categories of social identity exist in opposition to each other,

'...the disembodied or rational/paternal/masculine on the one hand versus the embodied or irrational/childlike/feminine on the other; a hierarchical

set of social relationships between the two, whereby the first category can and indeed must “rule over” or “guide” the second; and the system of knowledge inherent in these constructions, namely the notion that dependent territories require rule/tutelage from sovereign states’ (2008: 95).

Patil’s characterisation emphasises the way in which this relationship was framed as one of paternalism, suggesting a level of care as opposed to a straightforward relationship of domination. The European powers claimed not to want to control non-European peoples, but to help them to achieve their full potential through the provision of guidance and support. What we see in the United Nations then, despite a formal commitment to equality and rights in the preamble to the Charter, is a system that continues the colonial relationship but which is justified through ideas of development and civilisation. This discourse of development allowed the institutionalisation of colonial power in the very structure of the United Nations, with the world’s most powerful nations acting as paternalistic educators, leading less civilised nations on a singular path to progress. Despite colonies using various bodies of the United Nations to put an end to formal colonialism in later years, the independence granted to them was as a result of imperial powers controlling their development (Rajagopal, 2003: 72). The colonies could not be independent on their own terms, but had to be granted independence once they had shown an adherence to particular cultural values as set out by the colonisers and major powers of the United Nations. This granting of independence, as well as the giving of aid for development, is a key strategy in the operation of neocolonial power. It allows former imperial masters to control the development of their former colonies under the guise of generosity, achieving the aims formerly achieved by blatant colonialism (Nkrumah, 1965: 239).

What has been institutionalised in the United Nations then is a particular view of the world and what it means to be civilised. The most powerful nations have encouraged former colonies through a system of development with its end point as their own Western liberalism, which is complicated and rendered contradictory by its colonial past (Mazower, 2009: 201). Civilisation as it is understood in the West is institutionalised through the United Nations as a universal aspiration and this discourse of development encourages an understanding of progress as conformity with this. This development discourse and ideas of 'civilised' and 'uncivilised' nations continue to frame contemporary debates within the United Nations, such as decisions around military intervention under the current guiding principle of Responsibility to Protect, as will be examined in Chapter 7. Within this framework, international law is seen as the '...ultimate product of civilization, making it into an utopian ideal of a transnational organized legal system that would bring progress and peace to the world' (Tarazona, 2012: 918). International law became the universal system by which all countries should be judged and which all countries should adhere to in order to be understood as modern states of the world, and the United Nations plays a key role in the enforcement of international law.

This section has provided an introduction to postcolonial theory and the postcolonial critiques that provide the overarching theoretical framework within which this project is situated. The argument throughout the thesis is that the United Nations is ultimately an institution designed to legitimate and reinforce postcolonial power structures, through the implementation of neocolonial policies, practices and mechanisms. This has been done largely through the reiteration of discourses of development that ensure the inequality between states is understood as natural and part of a system of progress that sees the United Nations playing a key role. One of the key

ways in which the United Nations seeks to naturalise these postcolonial power structures is through a commitment to international law and the concept of sovereignty. Sovereignty however, is a concept that is in itself bound up in the colonial encounter.

### **Sovereignty, International Law and Colonialism**

The United Nations gains a great deal of its legitimacy through a commitment to adhering to international law and as such, it is important to explore some of the significant critiques of international law, particularly with regards to its intricate historical relationship to colonialism. Within this, an exploration of the notion of sovereignty is key. The concept of sovereignty will be discussed at length in Chapter 5, where the focus of the discussion will be around how international organisations have used the concept of sovereignty in order to justify and legitimate the unequal global order. This section however will outline a postcolonial critique of international law more broadly and the concept of sovereignty, largely borrowing from the work of Antony Anghie, in order to ground this later discussion of sovereignty within a theoretical framework. Anghie's 2005 book *Imperialism, Sovereignty and the Making of International Law* examines the relationship between colonialism and international law, focusing on the use of sovereignty as a means of justifying and rationalising the relationship between the colonisers and the colonised. This approach is particularly significant for the arguments being developed throughout this thesis as the principle of sovereignty features heavily within the United Nations debates around intervention that will form the broad focus of the second part of the thesis.

International law is understood to be a universal system of government, as applying equally to all individuals and all states within the international community and as being outside of the hierarchy established between states (Orford, 2006: 1). However Anghie argues that the history of international law shows it to be explicitly European in origin, and as such, there is a question to be addressed as to how a system that originated in Europe came to be understood as universally applicable to all societies in spite of different cultures, beliefs and political institutions (2001: 516). Throughout the course of the following chapters, this acceptance of the universalism of international law will be attributed to the process of colonialism. It will be argued that colonialism was the process by which a European system of governance came to be a universal system of governance that we now call international law, in spite of these differences. The argument follows therefore that institutions that have their basis in international law also have their basis in colonial power relations.

Based on the principle of the sovereign equality of its members, the United Nations claims a commitment to the values of international law and settles disputes in the International Court of Justice in accordance with international law (United Nations, 1945). In the preamble, the Charter states that one of the primary aims of the United Nations is 'to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained' (United Nations, 1945). International law and the concept of sovereignty are evidently of central importance to the functioning of the United Nations. However, sovereignty as it is understood in international law is intricately connected to colonialism and so the fact that the United Nations places a high value on these concepts is significant and contributes to the ways in

which the United Nations perpetuates the inequalities characteristic of colonialism in contemporary international society.

The principle of sovereignty is foundational to international law, but it was also paradoxically a creation of international law. The concept of sovereignty did not precede the development of international law as a system of governing the behaviour of states towards one another; it is a creation of that very system (Roth, 2011: 55). What is significant for the argument being developed throughout the following chapters is the way in which sovereignty developed out of the system of international law, and how this came to be understood as a universal category. The United Nations is by its own admission an exercise in cooperation between sovereign states, but this suggests that sovereignty is an objective status and neglects the history of sovereignty as a concept. It suggests that sovereignty is equally available to all nations and that it means the same when attributed to any individual state. However, once we understand that sovereignty has a colonial history, international institutions with sovereignty as their foundational principle become more problematic. As Anghie argues, the 'sovereignty doctrine' which forms the basis of international law results from an attempt to create a legal framework which could deal with the colonial encounter and the relationship between Europeans and non-Europeans (2005: 3). Within the colonial context, there was a need to justify the dominance of one nation over another, and sovereignty was the way to do this. European colonising empires were deemed sovereign, whilst the colonial territories were not. International law therefore became part of the civilising mission of colonialism, justifying domination as a means of teaching the uncivilised world how to be civilised, at which point they would be granted sovereignty (Anghie, 2001: 617). International law and its potential universality, justified through the concept of sovereignty, was therefore used by Europeans from their

position of overwhelming colonial power to feed into the civilizing mission that justified colonialism (Koskenniemi, 2005: 117). European domination and power was justified through the idea that sovereignty was a universal category that formed the basis of international law, which would be a universal system of governance for all the world's people to live in harmony and that colonialism was the way in which all nations would become sovereign and hence able to participate in the international legal system.

This understanding of sovereignty within international law was based on what Anghie terms the 'dynamic of difference', whereby one culture is framed as universal (and civilised) and the other is particular (and uncivilised), with international law seeking to develop systems to make the particular universal (2005: 4). This process emphasised the difference between two cultures as a difference in terms the level of civilisation and therefore sought to eradicate difference through the establishment of a universal understanding of what it means to be civilised. By granting sovereignty to one culture automatically whilst making alternative cultures have to earn their sovereignty, the universalisation of international law was not simply an impartial inclusion of all the world's people into an objective system of governance, but rather made it necessary for all nations to conform to a particular form of social and political organisation in order to participate in the international community (Pahuja, 2011: 46). As international law was historically, conceptually and inherently European, non-European nations had to conform to European forms of organisation in order to participate and to be understood as civilised.

Through making sovereignty foundational to international law and framing international law as universally applicable, but only allowing European states to be deemed sovereign in the first instance, it was possible to

create a system in which states outside of Europe were regarded as existing in an earlier stage of development. The cultural characteristics of sovereignty then become the cultural characteristics of Europe and thus Europe is equated with civilisation (Anghie, 2005: 100). The significance of this within the context of international institutions, firstly in the League of Nations and later in the United Nations is that European dominance, particularly through schemes such as the mandate system or the trusteeship system, was legitimised through linear understandings of progress and civilisation. Colonies were not simply being encouraged to be European, they were being encouraged to be civilised in order to participate in global interactions. These systems were justified as assisting colonised peoples to attain sovereign status within the framework of international law, legitimating colonial rule through the concept of development (Rajagopal, 2003:50). Within this framework, colonialism can only be viewed as a positive attempt to assist less developed nations in becoming civilised and able to participate in a global network. Colonial violence, domination and the eradication of cultural difference are framed as a generous act of support.

However, even in attaining sovereign status, the sovereignty granted to non-Europeans was distinct. Whereas European nations were sovereign from the start within the system of international law due to their ability to participate in such systems as a result of their advanced level of social complexity, non-European nations had to be granted sovereignty. Thus, in developing the concept of sovereignty, international law and its associated institutions created two different models: European sovereignty, which was automatic due to the advanced civilisation of European societies, and non-European sovereignty, which could be granted once these societies had followed European paths of development (Anghie, 2001: 520). The discourse of development that had been created in order to justify colonialism fed into the establishment of a system of international law.

This notion of development meant that whilst international law and the international community more broadly was considered universal, Europe would always remain the prime example of what it meant to be civilised and as a result, substantive equality between sovereigns could be prevented (Pahuja, 2011: 46). The colonies then, could participate in international law as sovereign states once those states that already held sovereign status deemed them ready, but the sovereignty granted to them would never be equivalent. This meant that prior to the Second World War international law was only applicable to sovereign (i.e. European) states, and as a result, virtually no conduct towards Asian and African states could be questioned (Anand, 2010: 6).

As with most aspects of social organisation that we consider constitutive of modernity, the conventional narrative of international law is that it developed in Europe and was spread out to the rest of the world until it was universal. This universalism suggests a level of inclusivity, allowing international law to disguise its colonial origins and actually appear anti-colonial (Pahuja, 2011: 256). Where colonialism is associated with dominance and inequality, the perceived universality of international law implies equality between all nations under one single system of governance, concealing its intricate relationship with colonialism. This established eurocentric narrative of international law hides the way in which Western culture was forcefully encouraged through the process of colonialism (Fassbender and Peters, 2012: 2). Even where colonialism is recognised as significant in the development of international law within conventional narratives, the assumption is that colonial domination ended with formal decolonisation. However, this disguises the way in which sovereignty developed as a concept within international law and how it was designed to ensure the dominance of European culture (Anghie, 2014: 134). The argument that will be developed throughout the following

chapters is that colonialism did not end with decolonisation, and that international law and the concept of sovereignty play a key role in perpetuating the inequalities that characterised formal colonialism. Ideas of civilisation and difference still feature heavily in debates around sovereignty despite an understanding that we now live in a post-imperial world. Due to its history, the concept of sovereignty continues to enable certain political structures such as those based on fixed territory, and disables others such as those based on solidarities across territorial borders (Jones, 2013: 1151). The notion of sovereignty therefore plays a key role in maintaining the existing hierarchical order in world politics, and does so through its ability to disguise its colonial origins and present itself as universal and objective.

## **Conclusion**

This chapter has provided the theoretical framework for the chapters that follow and for the thesis overall. The first section provided an introduction to postcolonial theory as a way of understanding contemporary issues, following the work of scholars such as Homi K. Bhabha, Frantz Fanon and Leela Gandhi. It argued that in order to fully understand the world, it is necessary to reconsider the histories that we are told in order to acknowledge the significance of the colonial encounter in its structuring. This section also briefly touched upon the influential work of Edward Said (1995), discussing the way in which colonialism was essential to the development of the identities of Europe and non-Europe as oppositional to each other and to the construction of non-Europe as 'backwards', both creating and establishing the superiority of the West.

The purpose of discussing postcolonial theory here is to locate the thesis within a body of literature that aims to challenge the standard narratives of the development of the modern world. Within the context of sociological research, this thesis hopes also to contribute towards a postcolonial social theory that not only explores colonialism as a historical process, but that challenges established social theories that privilege the West without any reflection upon the histories of imperialism that enabled the West to achieve its dominance (Bhabra, 2007: 146). It is not sufficient to study colonialism in order that it might add to the established concepts we use in order to understand the modern world, rather we must acknowledge these histories of imperial domination in order to re-think the core concepts of modernity. In the case of this chapter, the focus has been particularly on the role of international law and its basic concepts as an aspect of the modern world that we must re-think in light of its colonial history, however this forms part of a wider argument around the need for sociology and social theory to understand the historical processes by which Europe came to represent the world (Bhabra, 2007: 146).

This chapter has begun to unpick some of the discourses that have been used in order to mask the institutionalisation of inequality in terms of global power within the United Nations. These discourses will be of particular significance within the second part of the thesis when these theoretical approaches are explored in relation to the development of policy within the United Nations. Firstly, the discourse of development that has allowed for what Patil (2008) terms 'kinship politics' within the United Nations, whereby the major powers are framed as educators, teaching the uncivilised nations of the world how to be civilised. This discourse frames all nations as existing within a system of development with European ideals and values representing the peak of civilisation. This chapter has argued that this discourse of development was used in order to justify the process

of colonialism and so its continuation in contemporary global politics represents a continuation of the colonial power dynamic.

Secondly, the discourse of sovereignty, which has legitimised the universalisation of a system of international law that is European in origin and is grounded in the colonial encounter. This chapter has showed that sovereignty as a concept was born out of colonialism as a way of understanding the relationship between the colonised and the colonisers, linked into the discourse of development and ideas of civilisation, in order to ensure that the world would be governed by a system of international law that was based upon European culture and values. These two key discourses continue to play a key role in contemporary United Nations politics, underpinning the neocolonial technologies of control that will be discussed in the second part of this thesis, and so this chapter has emphasised their colonial origins as a means of disturbing the conventional narrative of the United Nations as an institution committed to the equality of all nations. The theoretical approach of postcolonialism forms the basis of the thesis and these understandings of the key discourses within the United Nations will be applied in the second part of the thesis to more empirical examples of how the United Nations works.

## Chapter 3: Researching History

'History is the fruit of power, but power itself is never so transparent that its analysis becomes superfluous. The ultimate mark of power may be its invisibility; the ultimate challenge, the exposition of its roots' (Trouillot, 1995: xix).

### Introduction

Having provided the overarching theoretical framework for the thesis in the previous chapter, this chapter will explore a more methodological framework for the project. Ultimately, this is a theoretical project and so the use of a straightforward methodology consistent with traditional forms of sociological research is neither appropriate nor useful. Nonetheless, there is an approach to dealing with history that will be used throughout the thesis, as well as the use of archival material in the later chapters, and so it is useful to detail these here.

This chapter will begin with a discussion of reading through history as a tool for understanding contemporary issues and argue that within the context of the United Nations, an accurate understanding of its colonial origins is essential both in terms of having an accurate understanding of contemporary debates and in terms of challenging unequal global power relations. This section will detail the body of literature that has provided the overall methodological approach of the thesis and which focuses particularly on the relationship between power and the construction of history through silencing. This section will particularly make use of Michel-Rolf Trouillot's (1995) book *Silencing the Past: Power and the Production of History* and Jeanne Morefield's (2014) book *Empires Without Imperialism:*

*Anglo-American Decline and the Politics of Deflection*. These two texts when read together form an important argument about the politics of memory and the importance of addressing silences when dealing with history.

The chapter will then move on to a more concrete discussion of some of the issues associated with using archival data in research, as well as the potential of the archive as a site of historical information. It will argue that although the archive undoubtedly has the potential to be selective and incomplete, it provides access to information that may otherwise be difficult to attain and often provides the resources to challenge dominant accounts of history with documentary evidence. Finally, this chapter will conclude by providing an overview of the United Nations archives and the use of these throughout the research. This final section will detail the process of collecting data from the archives at the United Nations' headquarters in New York and discuss the methodological issues previously identified in relation to this specific context. The data collected during the research visit to the United Nations archives will be used throughout the following chapters, particularly in Chapters 4, 5 and 6.

### **Reading Through History**

As has already been summarised in the introduction, the central premise of this thesis is to provide a historical examination of the United Nations as an institution, looking at the ways in which colonial power relationships have been written out of dominant narratives. The aim is to disturb the conventional narratives of equality and progress that frequently constitute understandings of the history of the United Nations and instead emphasise the significance of colonial domination and postcolonial power structures

within the founding of the organisation. The argument that will be developed throughout the thesis will challenge these notions of equality, cooperation and democracy that are so often attributed to the founding of the organisation through providing an alternative discourse of power and resistance.

As such, this project is not a straightforward piece of empirical sociological research with a clear methodological approach such as an argument based on quantitative statistical analysis or the qualitative analysis of interview data. Rather, its focus is more theoretical or conceptual. It will examine contemporary debates around the United Nations' use of military intervention in cases of conflict under the principle of Responsibility to Protect by reading these debates through history. Rather than simply focusing on the contemporary political context, it will argue for a re-narration of the history of the United Nations, taking into account its imperial origins. This is done on the basis that in order to understand the power structures that underpin United Nations debates around intervention, it is necessary to understand the ways in which postcolonial privilege was written into the institution from its very beginnings.

The methodological approach being employed here then has two key features. Firstly, it will provide an alternative or counter-discourse that takes into account both the power structures inherent in a system born out of the legacy of colonialism, but that also narrates the colonial history of international institutions as one of resistance. In this sense, it is attempting to explore the relationship between history and power through the provision of an alternative narrative. In doing so, I hope to emphasise not only the colonial domination that has been perpetuated by this particular system of international organisation, but also to acknowledge that this is a domination that has been resisted in a number of ways throughout history,

as I believe it is important to recognise resistance to power and give voice to the stories that have been silenced throughout history. Secondly, it will examine a contemporary issue by reading through history, arguing that in order to understand the contemporary conditions within which debates around intervention exist it is necessary to have a clear understanding of the history that allowed for them. It is not sufficient to discuss issues only within their immediate context. The historical conditions that have allowed for the emergence of the policy that is being debated are profoundly significant if we wish to have a real understanding of the issue.

This approach of reading through history is framed by a belief that how we understand the past is crucial for how we understand the world today, and that if our understanding of the past is inaccurate, our understanding of the present will necessarily be inadequate (Bhambra, 2007: 2). The key idea underlying all of the chapters that follow and the argument that is being built throughout the thesis is that it is inadequate to simply explore contemporary issues by examining their contemporary circumstances. In the context of this particular topic, to do so fails to acknowledge the history of Western dominance that has legitimated power structures that allow for selective decision making around intervention within the United Nations. Therefore in order to more accurately understand the power structures affecting decisions being made around intervention, it is necessary to look at these contemporary decisions within the historical context of colonialism and postcolonial power structures. This approach amounts to 'taking history seriously' and arguing against the idea that historical events are independent of one another (Steinmo, 2008: 128). It is impossible to view history as a series of disconnected and self-contained events. Rather, we must understand the present as always being shaped by the past. The relationship between the past and the present is therefore of paramount importance for this argument.

What is also being challenged here is the idea of history as an objective fact. The following chapters emphasise the ways in which history is not simply 'what happened' or the facts of events, but also 'what is said to have happened' (Trouillot, 1995: 2). To approach history in this way is an acknowledgement of the place of power in narrating history. Not all stories are told, not all people have the power to tell stories, and only the stories of some come to be understood as historical fact. Within the context of global history, it is the history of the West that is relentlessly reinforced as the universal history of all (Bhambra, 2007: 2). This project, alongside others, provides a challenge to the history that is taken for granted, that is the history of the West.

This approach has already been highlighted in the first two chapters of this thesis, where it has been argued that there is a dominant narrative of the history of the United Nations as told by the United Nations itself and by academics and historians. This history underplays the relationship between the League of Nations and the United Nations, presenting the United Nations as an original response to the Second World War. However, Chapter 1 has argued, following the work of Mark Mazower, that the United Nations was the product of 'evolution not revolution' (2009: 17). This is a prime example therefore of the ways in which history is affected by the ability of particular stories to be told and taken as truth.

This leads us to a recognition of silences and history as a process of silencing. If we accept that history is not simply a record of factual occurrences, of 'what happened', but rather that it is a record of what is *said* to have happened, it becomes clear that history will necessarily consist of silences (Bhambra, 2007: 10). For one particular narrative of history that is accepted as fact, there are always other narratives that tell a different

story. In the case of international political institutions, these alternative narratives may be rather significant and the silencing of them may be deliberate.

Trouillot argues that the creation of silences is a key aspect of the production of history and historical narratives:

‘Silences enter the process of historical production at four crucial moments: the moment of fact creation (the making of sources); the moment of fact assembly (the making of archives); the moment of fact retrieval (the making of narratives); and the moment of retrospective significance (the making of history in the final instance)’ (1995: 26).

At each of these points, decisions are made about the authenticity of particular ‘facts’ over others. History is therefore produced through the continual privileging of certain accounts and the silencing of others, in the creation of facts, the making of archives, the making of narratives and in the acknowledgement of retrospective significance. At each of these points, the dominance of particular narratives gains more strength and the silencing of alternative narratives intensifies. Throughout this thesis, this approach to the construction of history will be used in order to address the production of silences throughout the history of the United Nations, particularly in relation to colonialism, postcolonial power structures, and neocolonial technologies of power.

The production of facts and silences that ultimately constitute history contributes to a process of ‘forgetting’, which plays a crucial role in the way historians construct the past, despite the general assumption that history is a process of remembering or preservation (Morefield, 2014: 14). History is

understood to be a process of remembering the past and historians are often characterised as those who are responsible for preserving it. What is being argued here however is that history is not only a process of remembering but also a process of forgetting. History involves selection and the preservation of particular aspects of the past, with the simultaneous forgetting or silencing of other aspects. The narratives that are preserved come to be known as 'facts' and the narratives that are silenced are forgotten, no longer existing in our collective memory of the past.

In arguing that history produces silences, the objective here is to contest the dominance of particular narratives and the privileging of the narratives of particular groups in our understandings of history. Hodgkin and Radstone argue that the role of social researchers in approaching history is not simply to dispute a course of events, but to provide alternative narratives belonging to those groups whose knowledge has been forgotten in order that these dominant narratives may be contested (2003: 1). It is not enough to simply disagree with a particular picture of history without providing an alternative picture. This is particularly important in relation to the telling of stories by groups who are frequently silenced. Chapter 1 has already begun to provide an alternative narrative to the standard histories of the United Nations and this will be further developed in Chapter 4, which provides an alternative historical discourse of resistance in the founding of the United Nations. This history of resistance to colonial and postcolonial power is frequently overlooked in the narratives of international institutions and so Chapter 4 signifies an attempt to give voice to this silenced history.

The process of forgetting is particularly significant in relation to the dominance of imperial narratives of history. In Jeanne Morefield's 2014

book *Empires Without Imperialism: Anglo-American Decline and the Politics of Deflection*, she challenges 'the sustained historical and contemporary narratives that enable these [Western] powers to deflect responsibility for imperial violence away from themselves in an ongoing, systematic way' (2014: 1). The purpose of presenting an alternative narrative of resistance in Chapter 4 is an attempt to do just this. The aim is to provide a history of resistance that was ultimately accompanied by a history of domination, in order to challenge the dominant narratives of equality and progress that allow the major powers to disguise the perpetuation of imperial power. In doing so, it provides an example of the importance of listening to 'counter-discourses' that are often obscured by the eurocentric claims of Western history to be representing universal history (Morefield, 2014: 242). By exploring the histories of those dominated by the world's major powers, it is possible to illuminate the extent to which postcolonial privilege has allowed for the universalisation of European values and the way that histories of the powerful have come to represent the history of the world. Furthermore, this is done on the basis that to contest the past is to also question the present and the relationship between the two (Hodgkin and Radstone, 2003: 1).

The approach of reading through history is being used here then to argue that an accurate understanding of the past is essential for an accurate understanding of the present. This approach requires a recognition of the silences that have accompanied the establishment of dominant narratives, as well as the provision of an alternative discourse that allows for those silenced stories to be heard. This approach to history forms the basis of the arguments that will be developed throughout.

## **Using Archival Material**

Although the core focus of this project is theoretical, in providing a deconstruction of dominant narratives and the provision of an alternative discourse that may affect the way in which we understand contemporary debates within the United Nations it will also make use of archival material as a core aspect of the alternative discourse being presented. The use of archival material here will not form a standard secondary analysis of documentary evidence of the kind we often see in sociological research as this is not necessarily beneficial to the argument being developed or the approach being taken, but historical documents from the archive of the United Nations will feature as part of the process of de-silencing the narratives of resistance that have been silenced throughout history and as part of the process of reconstructing a history of the United Nations that takes this colonial and anti-colonial history into account. These archival documents are central to doing the work of de-silencing and deconstructing the dominant narrative that is both inaccurate and insufficient. These range from official documents such as the Charter, to minutes of meetings and letters between representatives from the United Nations and interested parties. These documents are not intended to form a data set for an in-depth documentary analysis, but rather to give evidence and bring life to the arguments being made throughout the following chapters, grounding them in the reality of the historical context and giving voice to silenced narratives.

Whilst it has been established in the previous section that history is not objective but constructed and produced through the silencing and privileging of particular facts, that is not to say that all narratives are equal in validity. In the face of well-established power and privilege, what gives counter-discourses their authenticity is substantiation through evidence.

As such, the alternative narrative that is to be presented in Chapters 4, 5 and 6 makes use of archival material in order to support the claims being made and to provide examples of the ways in which imperial power functioned throughout the establishment of the United Nations. It is necessary therefore to discuss here some of the debates around the use of archival material and the problems associated with doing research involving documentary evidence contained in archives.

The definition of what constitutes an archive is reasonably broad, ranging from an organised collection with curators to a disorganised collection of personal papers (McKee and Porter, 2012: 60). The difficulties in conducting research involving the use of archival materials therefore vary depending on the kind of archive. In the context of this research, the focus will largely be on the archives of official documents as collected by government agencies, or in this case, by international institutions. Archives have been used increasingly frequently in researching these kinds of public bodies, as they generate huge amounts of material that seem to provide a direct insight into both how they function and into past events (Scott, 1990: 10). Where gaining access to individuals within an organisation for interviews or observation can be difficult, the use of archives enables a reasonably easy way in which research can be done and large amounts of information can be found. Furthermore, the use of archives allows research into historical events that is somewhat more reliable than individual memory.

However, this is not to say that archives are spaces within which all knowledge is possible or where a researcher can reveal the truth about a particular topic. Just as history is constructed and selective, the archive is constructed and selective. As Jimerson argues, 'archives at once protect and preserve records; legitimize and sanctify certain documents while

negating and destroying others; and provide access to selected sources while controlling the researchers and conditions under which they may examine the archival record' (2006: 20). Archives are not a collection of every single item of relevant information or documentation. They are selected based on the perceived significance of particular pieces of information that exist in certain forms. Furthermore, archives as physical spaces within which a researcher conducts their research are set up in such a way that they control the way that research can be done. The way in which materials are organised and categorised will affect the ability of the researcher to access information. The information a researcher seeks may not always be in the most obvious place, as individuals with different agendas or interests will inevitably categorise information differently, meaning the researcher must always begin with a fairly broad approach to the topic in order to find the most relevant or interesting material.

Whilst archives exist as preservations of records, they are never complete. Archivists play a key role in deciding what counts as significant enough to be catalogued, stored and made available for viewing by those who may be interested (Featherstone, 2006: 593). They are key to the process of selection and preservation that occurs within the archive. However, even though archives are constructed through a process of selection, they can just as easily be made up of things that were not intended to be preserved or that have no obvious significance - what Steedman terms 'mad fragmentations' (2001: 68). What this shows is that archives cannot be considered whole by any means. Individuals who are responsible for the making and maintaining of archives play a role in both the organisation of the archive and the process of deciding what it is that is worth preserving. Researchers must therefore learn to be flexible when conducting archival research, accepting the absence of things they expected to find and remaining alert to material that may not be categorised in the most

obvious way (McCulloch, 2004: 47). The categorising of archives is often the result of the idiosyncrasies of particular individuals. In spite of this, archives can be an incredibly useful resource for researchers, allowing access to material that may otherwise be unavailable and by providing documented evidence of words and events. In using archives however, researchers must always keep in mind that they do not represent a complete picture.

Issues of subjectivity on a number of levels therefore affect the process of conducting research within an archive. Firstly, the sources available to a researcher may be the result of bias on the part of the archivist, as previously suggested. Once the archives exist as researchable entities however, the biases of the researcher will also come into play. Documents do not 'speak for themselves', but rather they are materials that researchers use in order to make meaning (Howell and Prevenier, 2001: 19). As such, they are susceptible to the biases of the researcher in the same way as any other other form of data. In this sense, use of the archive is no more able to provide a path to the 'truth' than any other methodological approach (Hazareesingh and Nabulsi, 2008: 168). However, if we accept that the researcher and their prior knowledge and experiences inevitably influence all forms of research, this seems to be less of a problem. Archival research can be an effective way to investigate issues that are inaccessible by other means, and particularly in researching history and historical events or people.

Using archives in sociological research is therefore part of the argument that history is constructed. As relics of the past, archives are selected, incomplete and the result of the power-laden process of remembering (Steedman, 2001: 66). In spite of this, they can provide access to the past in a way that other methods cannot. Archival research allows access to data

produced at particular moments in time and may therefore be the most reliable form of data we have in studying the past. Although issues of subjectivity are present in the process of conducting archival research, this is no more than the subjectivity seen in any other form of social research.

### **The United Nations Archives**

Having outlined the approach to history that forms the position of the thesis and having identified some of the issues associated with conducting research using archives and documentary evidence, this section will move on to describe the process of conducting research in the United Nations archives.

The United Nations Archives and Records Management Section (ARMS) is responsible for the preservation of United Nations documents, providing access to information for both staff of the United Nations as well as for external researchers. Documents in this sense can be anything from correspondence between staff at the United Nations headquarters to Security Council resolutions or major declarations such as the Millennium Declaration of 2000. ARMS is located on a street very near to the United Nations main headquarters in New York and researchers are able to book an appointment to visit and examine United Nations documents that are relevant to their research in physical form. Documents collected by ARMS are increasingly existing in digital form and as such, a large number of documents are available online for researchers on the ARMS website: <https://archives.un.org>. Researchers are able to access documents that were not subject to restrictions at the time they were created, documents less than 20 years old that are not subject to restrictions as decided by the Secretary-General, and documents that are more than 20 years old (United

Nations, 2012). The majority of documents over 20 years old are automatically declassified and available for researchers to use.

ARMS is responsible for ensuring accurate record keeping by United Nations officials and for the preservation of documents that may be valuable and of interest to the public through the archives (United Nations, 2012). ARMS began with an archives unit that was set up in order to document the United Nations Conference on International Organisation at San Francisco, preserving copies of official documents generated by the conference as well as the original drafts (Claus, 1948: 195). It is these documents from the San Francisco conference in 1945 that form the majority of the data that will be used throughout the following chapters. Once the Charter had been signed and the Secretariat was formed in 1946, the archives unit that had worked at San Francisco became an official department within the United Nations and moved to an office in New York (Claus, 1948: 196). Since its establishment then, the United Nations has maintained records that have become part of an official archive available to the public.

The arguments being made here will be supported by archival data from the United Nations archives, especially those arguments developed in the following three chapters. The data largely consists of correspondence between the organisers of the San Francisco conference in 1945 and interested parties, such as potential member states and groups representing particular sections of national populations, as well as minutes taken at meetings during the conference. This data will be used in order to support claims being made, particularly relating to the failure to address issues around colonialism during the founding stages of the United Nations. The data is also central to both the deconstruction of the dominant narrative and the construction of an alternative narrative, which

emphasises the colonial history of the United Nations and the anti-colonial resistance present both prior to and throughout its establishment. The data does the work of de-silencing those uncomfortable and disturbing histories relating to the United Nations and its development. It was collected during a short research visit to ARMS in New York in December of 2014.

This research visit began with an initial correspondence with ARMS staff in order to establish the availability of the kind of documents being sought. Having found that there were no documents relating to the San Francisco conference held in the online archive, I contacted ARMS to ask where these documents could be found or if they had been preserved at all. The archivist responded and provided an extensive list of files held at ARMS relating to the San Francisco conference prior to the research visit. This list was examined, with files that appeared to be relevant to the questions being asked being selected for further examination. This selection took place bearing in mind the need to look broadly in order to find potentially interesting information.

Having identified archival material that may be relevant, I booked a desk in the research room at ARMS for 3 days, where I was required to fill out a registration form with personal details as well as an explanation of the research I wanted to conduct and how/where this research would appear. I was also issued with a list of 'Rules and Procedures' for the reading room. These included familiar general policies for using archives such as only using pencils, maintaining the order of documents within files and keeping noise to a minimum (United Nations, 2012). Upon arrival at the reading room, I provided a list of the files I had identified to the research room staff. These included (but were not limited to):

- 'Correspondence Files – Outgoing Letters – Negroes'
- 'Correspondence Files – Outgoing Letters – Minorities'
- 'Organisation of Conferences – United Nations Conference on International Organisation'
- 'Files By Country – United Kingdom'
- 'Files By Country – United States'
- 'Files By Country – France'
- 'Files By Country – USSR'
- 'Files By Country – China'

As discussed in the previous section, the files I selected to look at were rather broad in their scope but this was necessary in order to provide the best chance of accessing relevant, important and interesting information. I selected the 'Files By Country' of the sponsoring nations, as well as files for a number of ex-colonial states, and correspondence files that appeared to relate to issues of race and colonialism. These files were retrieved from the stores and given to me at my desk three files at a time in order to ensure minimum disruption to their ordering. Each file, some larger than others, was then sifted through and any documents that discussed relevant issues such as colonialism, the structure of the Security Council or the representation of minorities at San Francisco were photographed in order to be examined in more detail at a later date. Doing so allowed me to look through a large number of documents in the relatively brief time I was visiting the archives and also meant that I had copies of the documents to explore in more detail at a later date. As such, the research visit was purely a data collection exercise, which allowed me to collect a large amount of data and worry about its relevance at a later point in time.

The process of collecting data was therefore typical of archival research. Visiting the United Nations archives allowed access to information that I

would have been otherwise unable to access. The documents of the conference were created before the age of digitisation and the sheer volume of material generated by the United Nations on a daily basis means it is unlikely that these documents will be made available electronically in the near future. Access to the archives therefore provided an insight into the silences of the standard narrative of the history of the United Nations that it would have been difficult to gain elsewhere. The data collected provided documentary evidence of the kinds of conversations around colonialism that were happening both prior to and during the conference that have been written out of these standard accounts.

## **Conclusion**

This chapter began with a consideration of the strategy of reading through history, and has argued that in order to understand contemporary issues within the United Nations, it is necessary to locate them within their historical context. It is not sufficient to look only at the immediate surrounding circumstances of such debates, but rather we need to look at the underlying structures that facilitate these debates. The core question is: what has happened historically that has enabled these debates to occur? The aim of the following three chapters is to re-narrate the history of the United Nations in order to provide a more accurate understanding of its history that will ultimately highlight the continued significance of colonialism in the power structures of the United Nations today. The thesis will explore the primary structures of the United Nations through an examination of their historical development.

In doing so, the hope is that this thesis will not only add something to the existing literature that deals with the relationship between colonialism and

international institutions, but that it will also contribute to broader conversations about the relationship between history and power, particularly focusing on the need to address silences in the historical narratives of political institutions in order to address existing inequalities in power and more accurately understand their origins. The purpose of using the approach to history that has been outlined here is to provide a challenge to dominant discourses and ultimately to advocate the development of international political institutions that are committed to the pursuit of global equality. It represents a desire not simply to eradicate international institutions, but to re-design the ways in which these institutions function in order to address their colonial past and their role in perpetuating an unequal global order. This chapter has argued that the key to challenging dominance is to illuminate silences and to provide counter-narratives that allow for these silences to be heard. In terms of this particular context, the following chapter will provide such a counter-narrative through an examination of the histories of resistance that have played a role in challenging the relationships between the powerful and the rest of the world.

## **Chapter 4: The United Nations and Colonialism: An Alternative Discourse**

‘Let us remember that the stature of all mankind is diminished so long as nations or parts of nations are still unfree. Let us remember that the highest purpose of man is the liberation of man from his bonds of fear, his bonds of human degradation, his bonds of poverty - the liberation of man from the physical, spiritual and intellectual bonds which have for too long stunted the development of humanity's majority. And let us remember, Sisters and Brothers, that for the sake of all that, we Asians and Africans must be united’ (Sukarno, 1955).

### **Introduction**

Since there has been colonialism, there has been resistance to colonialism. This resistance is frequently overlooked in the dominant histories of international institutions and in national histories more generally. This chapter will outline some of the key stages in the anti-colonial movement and will focus on the anti-colonial opposition present at the San Francisco conference as a particular moment in this history of resistance, due to its relationship to the construction of the United Nations. It will argue that this history of resistance has been strategically written out of standard accounts of the history of the United Nations and that to provide this history as an alternative discourse provides a different understanding of the United Nations as an institution.

When we look at the ways in which colonialism has been resisted historically as well as the ways in which this resistance has been silenced, it

emphasises the power of particular nations to dominate the histories that are told and also their ability to construct institutions that primarily serve their own interests in spite of resistance. What is presented here is by no means an exhaustive history of resistance to colonial power. Instead, this chapter will highlight a number of key moments in the anti-colonial struggle in order to assert that the absence of this resistance in historical accounts is not due to an absence of resistance per se, but due to an unwillingness to recognise the imperial nature of global institutions.

For the purposes of this chapter, this historical narrative of resistance will begin with the end of the First World War. As Chakrabarty (2010) has argued, 'the urge to decolonize, to be rid of the colonizer in every possible way, was central to the anticolonial criticism after the end of World War 1', and so this chapter will focus on the key developments in anti-colonial criticism from 1918 onwards and the push towards decolonisation, finishing with the Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960. As with the alternative history already presented in terms of the formation of the United Nations in Chapter 1, this chapter will begin with the League of Nations and look at the ways in which the League prompted an anti-colonial movement following the unfulfilled promise of the United States President Woodrow Wilson's commitment to self-determination. As has already been argued, the United Nations should not be considered entirely distinct from the League of Nations, and as such, the opposition to these institutions is inherently connected. Indeed, the very fact that the anti-colonial criticism aimed at the League of Nations was not dealt with in the development of the United Nations is of great importance.

The chapter will then move on to discuss the San Francisco conference as a particular moment in the history of anti-colonial resistance and as a

deliberately missed opportunity on the part of the sponsoring nations to create an institution in line with the demands for decolonisation and independence for colonial states. The next section explores the rise of the organisation of states that described itself as Asia-Africa and the significance of the Cold War for mounting pressure on the issue of independence. This is followed by a brief discussion of the more formal commitment to decolonisation within the United Nations in 1960 and a look at some of the more recent organisations of non-European states such as the Non-Aligned Movement and the Group of 77.

The point of detailing this history of anti-colonial resistance is to provide an alternative discourse to those commonly seen in histories of the United Nations, whereby the United Nations is framed as an institution fundamentally based on equality and respect for all. This standard narrative constructs the United Nations as the space within which states were able to gain independence and attributes this to the vision of the major powers as outlined in the Charter. In contrast, this chapter will show the United Nations to be a site of constant struggle and instead attribute independence and decolonisation to the unrelenting anti-colonial resistance provided by existing and former colonies in the face of imperial power. The purpose is to challenge the conception of the United Nations as a progressive institution and to highlight the contradictions inherent in its structure, whilst also demonstrating a history of resistance that has been written out of standard narratives. In addressing the silencing of this history of anti-colonial resistance, the aim here is to disturb the dominant discourses of equality and progressiveness that surround the United Nations.

The chapter does the work of de-silencing these anti-colonial histories, through allowing the archival documents representative of the voices of

these anti-colonial movements to speak. Where these voices have not been heard in standard accounts of the history of the United Nations, this chapter reveals the extent to which anti-colonial activists were silenced within the context of the San Francisco Conference in spite of their persistence. The chapter will also address the development of this anti-colonial movement after the establishment of the United Nations and de-silence this continued anti-colonial history in terms of the commitments and proposals made at the Bandung Conference. The use of archival data in this chapter is not simply illustrative of the arguments being made, but is done in the spirit of giving voice to those who have been silenced by history.

### **Imperial Resistance and the League of Nations**

As previously stated, the history of resistance against colonialism has been in existence as long as the practice of colonialism itself. However, for the purposes of this chapter, it is neither possible nor useful to detail this history in its entirety. Instead, a number of key moments have been selected in order to highlight some of the ways in which imperialism has been resisted by the anti-colonial movement, particularly in relation to the construction of international institutions, namely the League of Nations and the United Nations. This begins here with a look at the events of the early 20<sup>th</sup> century. The Paris Peace Conference began on January 18<sup>th</sup> 1919 and resulted in the well-known Treaty of Versailles as well as being the site at which the League of Nations was founded (Williams, 2014: 80).

Following the end of the First World War, the Paris Peace Conference was established in order for the allied powers to develop a system for maintaining international peace, as the war had highlighted the unambiguous failure of traditional methods of peacekeeping and the need

for an alternative (Birn, 1981: 6). For a number of hopeful former and existing colonies this seemed to be an opportunity for democracy and freedom to prevail, particularly in light of statements made by the United States government.

During the years of the First World War, United States President Woodrow Wilson had become an advocate for the principles of democracy, collective security and self-determination (Steel, 1998: 21). Speaking about this in public on a number of occasions, President Wilson had become a sponsor for the values of democracy and self-determination that those who had been or were still colonies sought for themselves. In his discussions of this, President Wilson had frequently projected a clear vision for an international institution that would ensure peace, and in 1918 he put forward a fourteen-point proposal that reflected his vision (Wilson, 1918). The points of Wilson's proposal were largely relating to diplomacy, national self-determination and the formation of a 'general assembly of nations' (Schlesinger, 2003: 20). For former and existing colonies, the significance of Wilson's plan was the commitment to self-determination and particularly point five, which stated the need for

'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' (Wilson, 1918).

In outlining his plans for an international assembly of nations, Wilson had come to be seen as a champion for the principles of sovereignty, democracy and self-government, reflecting a consideration of the interests

of colonial populations in comparison to a distinct lack of such consideration on the part of the imperial powers. Those who had been working tirelessly to promote independence for the colonies had hoped Wilson's vision would provide the catalyst for decolonisation and the dawn of a more equal distribution of power internationally.

By the time it came to the Peace Conference of 1919 however, it had become clear that Wilson had neither the power nor the desire to be a representative for colonial interests. Despite pleas from India for Wilson to push for decolonisation as a key feature in the design of a new international institution, he was evidently unwilling to represent demands that conflicted with the interests of the major powers, particularly France and Britain (Manela, 2006: 1348). For Wilson it seemed, the Paris conference was not the correct forum within which to challenge the imperial domination of the Allied powers, with Wilson believing instead that these issues would inevitably be resolved by the establishment of the League of Nations (Manela, 2006: 1348). This proved to be disappointing for those pushing for decolonisation and for them, represented a missed opportunity on the part of the United States, fuelling an even more intense desire to continue to challenge imperial power.

The need to be free of colonial domination in any and every way possible therefore became a key feature of anti-colonial resistance at the end of First World War (Chakrabarty, 2010). The unfulfilled promise of Wilson's plan had proved that it was not possible to negotiate with imperial powers and their militarily powerful allies. However, as will become a theme throughout this chapter and throughout this thesis, this relationship between Wilson's Fourteen Points, the Paris Peace Conference and the anti-colonial movement is often neglected within historical accounts of the development of international institutions. In narrating the agreements

made at the Paris Peace Conference and the development of the League of Nations, the anti-colonial movement is rarely acknowledged and the potential significance of Wilson's plans for the issue of decolonisation is rarely discussed. As Manela argues, historians of international relations have been inclined to ignore the very issues that were ignored by the allied powers at the conference, namely the demands for decolonisation from peoples outside of Europe that were contrary to the interests of the major powers (2006: 1328). To neglect this tension in historical accounts of the Paris Peace Conference or accounts of the signing of the Treaty of Versailles suggests an unwillingness to deal with the role of colonialism in the building of the League of Nations as an institution and neglects a history of resistance that was very much present.

At the same time that the Paris Peace Conference was taking place and for the years between the First and Second World Wars, Paris became a significant meeting point for anti-colonial activists. International anti-colonial groups used Paris as a significant geographical location that allowed space for the discussion of both issues of international politics and issues regarding their own homelands (Goebel, 2015: 173). Anti-colonial movements saw a need to establish a presence within Europe in order to respond to the international politics that so often took place on European soil. Although their primary focus was on decolonisation outside of Europe, Paris became a hub for anti-colonial resistance in order to maintain a direct connection to those European countries that were responsible for colonial oppression.

In spite of the claims being made around internationalism and universalism at the end of the First World War, President Wilson's inaction at the Peace Conference had resulted in a pessimistic response to the discourse of universalism among colonial peoples and anti-colonial activists (Goebel,

2015: 173). It quickly became clear that the universalism the major powers discussed in their plans for the League of Nations was not designed to include the colonies. Whilst the major powers discussed a need for international relations based on a 'universal brotherhood' and Western understandings of universalism, it quickly became clear that this brotherhood would not extend beyond European borders (Goebel, 2015: 173). The understandably cynical response to the inherent contradictions of imperialist states championing universalism from proponents of anti-colonialism was particularly present in the League Against Imperialism, which was established in 1927 during the League of Nations' international reign.

The League Against Imperialism was established at the first International Congress against Colonial Oppression and Imperialism, which opened on February 10<sup>th</sup> 1927 and saw 174 delegates representing organisations from 34 countries gather together in Brussels (Petersson, 2014: 50). Following anti-colonial sentiment that had been fuelled by the Peace Conference in Paris, the League Against Imperialism was one of the earliest attempts to unify this anti-colonial anger into a formal organisation. The chosen name of this organisation was a direct attack on the League of Nations and the 'preservation of imperialism' that was represented by the mandate system (Prashad, 2007: 21). The mandate system of the League of Nations will be examined in more detail in Chapter 5 through a discussion of the concept of sovereignty, but for the purposes of this discussion it is needless to say that the mandate system did not represent the decolonisation or independence that the colonies had been hopeful for prior to the Paris Peace Conference. Hence the League Against Imperialism was a direct reaction to the continued colonial domination being legitimised by the League of Nations. The League Against Imperialism was the first real attempt to create an anti-colonial body that brought together key

individuals, organisations and associations in spite of their differences (Petersson, 2014: 69). This again emphasises the international forms of resistance to continued colonial domination by and through global institutions, which not only existed but which have been neglected in the standard accounts of history.

This organised resistance that started with the League Against Imperialism continued in various forms throughout the interwar years and intensified around the founding of the United Nations in 1945 following the dissolution of the League. The significance of the anti-colonial resistance surrounding the San Francisco conference for the arguments being developed throughout this thesis is such that it demands a more detailed examination.

### **The Colonial Question at San Francisco**

In the later years of the League of Nations and prior to the United Nations Conference on International Organisation at San Francisco there had been a shift in public attitudes away from support for colonialism. The European colonial powers faced the rising strength of independence movements within colonial territories as well as this shift in public attitudes both within and outside of Europe, making the maintenance of colonial rule difficult to uphold (Matz, 2005: 88). Despite this, the founding members of the United Nations managed to keep questions around colonialism and decolonisation to a minimum during the conference in 1945. As previous chapters have shown, this silencing of the issue of colonialism is something that has been replicated throughout standard accounts of the history of the United Nations and the standard historical narrative suggests that the issue of colonialism was dealt with at the San Francisco conference, with the

universalism of United Nations membership signifying an end to empire and colonialism as we knew it.

Within the majority of the accounts of the United Nations, the apparent aim of universal membership signalled the first step on the road to independence for colonial territories. Not only does this narrative fail to acknowledge how certain countries came to be the major powers and the key players in the United Nations in the first instance, it is also highly deceptive in terms of concealing the ways in which colonial questions were (not) dealt with at San Francisco. Marika Sherwood puts this plainly when she states that

'not one of the innumerable books on the founding of the United Nations at San Francisco fifty years ago mentions the efforts made by colonized peoples and black Americans to have their voices heard and to have the freeing of the colonies put on the UN's agenda' (1996: 71).

These standard histories, such as those detailed in Chapter 1, highlight the problem of selective membership as one of the main failures of the League of Nations, and even recognise the fact that the four sponsoring countries present at the Dumbarton Oaks conference (United Kingdom, United States of America, China and the Soviet Union) claimed that they were 'not ready' to discuss the issue of colonialism and moves towards decolonisation (Gilchrist, 1945: 983). However, they do not address the anti-colonial resistance that coincided with the establishment of the United Nations. This narrative suggests that the discussion of colonialism was down to the sponsoring countries, which were unwilling to engage in any sort of meaningful debate. As such, this narrative fails to acknowledge the intense anti-colonial resistance that was being outright ignored by the sponsoring governments in their decision to not discuss decolonisation.

Although the sponsors wished to frame the United Nations as a new organisation that would succeed where the League of Nations had failed, the issue of colonialism and colonial independence at Dumbarton Oaks did not appear to feature as a high priority, or proved to be such a contentious issue that the colonial powers wished to avoid it altogether in order to protect their own political interests. The question of colonial territories was to be dealt with at San Francisco and the agreements made here were embodied in the Charter (Nicholas, 1975: 10). However, in reality, discussions on working papers at San Francisco did not allow for any radical amendments by smaller states (Hurd, 2007: 88). Thus, the discussion of how to manage the colonial territories was limited to a discussion between colonial powers, rather than a discussion involving the subjects of empire or representatives of ex-colonial territories. In the standard historical narratives, the absence of colonialism in the discussions at Dumbarton Oaks and at San Francisco are frequently put down to disagreements between the major powers or the fact that the focus was on creating an international institution, rather than dealing with colonialism.

The significant absence of discussions of colonialism at San Francisco is therefore rarely put into the context of the anti-colonial movement that existed concurrently. The colonial question was absent from the agenda at San Francisco, but this is not to say that attempts were not made to raise the issues of colonialism and decolonisation. A number of anti-colonial groups at San Francisco expressed a desire to address the issues of decolonisation and sovereign equality for all territories involved in the organisation, but the Western powers showed no desire to discuss these issues, instead wishing to protect their own sovereignty and the rights of their own states above all else (Patil, 2008: 42). Within this context, this meant their right to rule over colonial territories and to govern over these territories without the interference of international bodies. Despite the

reluctance of the major powers to address the issue of colonialism, prior to the conference at San Francisco, attempts were made by individuals and groups external to the planning of the conference to ensure equal representation at San Francisco and to get decolonisation put on the agenda. These attempts however have been written out of the standard histories of the United Nations and these standard histories therefore signify a failure to deal with the colonial history of the United Nations as an institution and a neglect of significant debates around its founding. Here, the aim is to de-silence these anti-colonial narratives through the examination of archival documents.

The African Academy of Arts and Research is one such example of a group that attempted to get decolonisation put onto the agenda at the San Francisco conference. It was established in 1943 by three African students studying in America - Kingsley Mbadiwe, Mbonu Ojike and A.A. Nwafor Orizu - with the aim of promoting African independence. During the San Francisco conference in 1945, Ojike lobbied for target dates to be set on African independence, but was unable to secure a meeting with either British or American representatives (Diamond, 2005). A joint letter from the African Academy of Arts and Research and the African Students Association which enclosed a 'Memorandum of Recommendations on Independence of British West African Colonies' was met with the response from United Nations information officer T.T. McCrosky that

'...the Conference is devoting its energies and its labors exclusively to the single problem of setting up an international organization to maintain peace and security and therefore it is not anticipated that the specific problems mentioned in the memorandums will be the subject of action' (Letter from T.T. McCrosky to Mr Ojike, 30<sup>th</sup> May 1945).

This response suggests that colonialism was in no way related to the issue of international peace and security and highlights the overwhelming desire of the European empires to keep the issue of colonialism out of discussions at San Francisco despite mounting public pressure. However, it is interesting in itself that as Sherwood (1996) points out, attempts such as this to put decolonisation on the agenda at San Francisco are rarely included in the standard histories of the United Nations. Of the numerous books detailing the history of the United Nations, mentions of groups that were campaigning for decolonisation, such as the African Academy of Arts and Research, are few and far between.

Similarly, the President of the West Indies National Council Dr Charles A. Petioni and Vice President Richard B. Moore lobbied the San Francisco conference on behalf of Caribbean interests, arguing that British colonial rule in the West Indies was not acting in the interests of encouraging self-government and that the resources of the West Indies were being used to produce profit for the European powers controlling them (Turner and Turner, 1988: 79). The response to Moore's 'Appeal on Behalf of the Caribbean Peoples', which was circulated to government officials at San Francisco states that

'You are of course aware that the purpose of the San Francisco Conference is to formulate the best possible charter for an international organization to maintain peace and security for all people of the world regardless of race, color, religion or sex. It will devote its energies and its labors exclusively to this task, and it is not intended that the matter you mention will be the subject of action here' (Letter from Alger Hiss to Mr Moore, 1<sup>st</sup> June 1945).

Again, this response is astoundingly contradictory. In raising questions around the exploitation of people and resources in colonial territories, representatives of the West Indies National Council are told that these questions are not appropriate questions to be raised in the context of developing an international organisation for the maintenance of peace and security. This standard response is seen repeatedly in reply to letters from organisations such as the National Committee for India's Freedom (Letter from Alger Hiss to Mrs Pandit, May 11<sup>th</sup> 1945), the Lithuanian League of Canada (Letter from T.T. McCrosky to Mr Batkus, May 6<sup>th</sup> 1945) and the movement for Indonesian independence (Letter from T.T. McCrosky to Mr Patty, May 23<sup>rd</sup> 1945), among others. In the same vein, letters from individuals arguing for the importance of black representation at San Francisco are met with the response that

'No special group interest as such has a delegation to the Conference. Their interests are represented by their respective national delegations. The Delegation of the United States, for example, has a number of unofficial consultants from special groups that were invited to send representatives to San Francisco, among them the Association for the Advancement of Colored People. There is also a prominent Negro on the staff of that Delegation. You are also aware no doubt that the Delegates of certain other countries are of the Negro race' (Letter from T.T. McCrosky to Mrs Black, 21<sup>st</sup> May 1945).

As referenced in the text above, the National Association for the Advancement of Colored People (NAACP) did send Walter White, Mary McLeod Bethune and W.E.B Du Bois as representatives in the American delegation at San Francisco to raise issues of representation and independence for the colonies, as well as racial equality more generally. Out of the 42 organisations invited to act as consultants to the United

States delegation at the conference, the NAACP was the only group selected to represent the interests of the African American population (Sherwood, 1996: 76). Ultimately, the goals they had set themselves in attending the conference were unfulfilled by the time the conference came to a close and in fact, despite including them in the conference to represent the interests of so called 'special interest groups', the colonial powers and the American delegation made it clear to the representatives of the NAACP that the language of sovereignty and self-determination was not applicable to people of the colonial territories (Tillery, 2011: 104).

However, this is not to say that the NAACP did not organise and attempt to make their voices heard. Prior to the conference, Du Bois made contact with a number of Black activists including Nwafor Orizu of the African Academy of Arts and Research in order to organise a separate conference before the actual San Francisco conference to prepare the NAACP representatives (Sherwood, 1996: 76). This pre-conference conference concluded with the following four key points that were taken forward by the NAACP representatives to San Francisco:

1. Colonialism must go;
2. The transition from colonial status to autonomy should be overseen by an international body;
3. Colonials should be represented on this international body
4. The primary objective should be to improve the social and economic conditions of colonial peoples (Sherwood, 1996: 77).

In spite of Du Bois' efforts and his preparation for the San Francisco conference, his interventions were ultimately unproductive. The Charter that came out of the conference and that still guides the actions of the United Nations today failed to address decolonisation in any concrete

manner. In fact, even proposals by China and the Soviet Union to include independence for the colonies in the Charter were blocked by the United States and the United Kingdom (Sherwood, 1996: 90). The inclusion of the NAACP in the United States consultant organisations appeared to be decorative rather than actually allowing for any form of debate or impact.

Despite the issues of empire and decolonisation being raised by these various organisations both prior to and during the conference at San Francisco, their attempts and the unsatisfactory responses from the conference organisers are seldom mentioned in the standard histories of the United Nations. To exclude these significant exchanges and debates from the historical understanding of the development of the United Nations as an institution is clearly problematic. The history told by the United Nations itself and reproduced by academics in the seventy years since its establishment fails to acknowledge the ways in which the basic structure of the organisation, and even the structure and content of the conference understood to be its birthplace, ignores particular aspects of history and particular power relationships. Processes such as this allow for the legitimisation of the institutionalisation of Great Power privilege, which is exceptional in the case of the United Nations as compared with other international institutions (Krisch, 2008: 135). To accept these standard histories as accurate representations of the development of the United Nations fails to understand that history is a construction, not just a factual record of events (Bhambra, 2007: 10).

### **The Rise of Asia-Africa**

Following the failure to get decolonisation on the agenda at San Francisco, the early years of the United Nations saw an increased focus on the anti-

colonial identity of Asia-Africa that had developed from earlier forms of anti-imperial solidarity. This identity was born out of an understanding that in spite of their religious or cultural differences, these nations were united in their suffering through shared experiences of imperial domination and exploitation (Patil, 2008: 50). Whatever their differences, they were unified through an experience of colonialism and Western power that it was necessary to challenge. As such, the identity of Asia-Africa was forged through a solidarity framed in terms of brotherhood and morality, in opposition to the West's identification of Asia-Africa as infantile and in need of guidance (Patil, 2008: 41). As has been discussed in earlier chapters, the relationship between the West and the rest of the world had historically been characterised as one of paternalism, whereas the unity of Asia-Africa was based on a rejection of this characterisation and solidarity through equality and brotherhood.

The Bandung Conference in April of 1955 was central to the development of this Asia-Africa identity, signifying a culmination of anti-colonial pressure that had begun in 1927 with the League against Imperialism (Prashad, 2007: 32). It brought together 29 Asian and African states and colonies at the invitation of the Indonesian President Sukarno and the Indian Prime Minister Jawaharlal Nehru in order to consolidate the demands being made of the United Nations by anti-colonial forces in terms of decolonisation and independence (Mazower, 2012: 259). The organisers, whilst acknowledging the differences and aspects of division between the countries taking part, hoped to generate a sense of solidarity emanating from a shared history of Western imperialism (Lee, 2010). In spite of their differences, those present at the conference agreed on issues of economic and cultural co-operation and what the Bandung Conference ultimately represented was both a diplomatic and symbolic commitment, where Asian and African countries met to 'discuss the possible futures of the

postcolonial world' (Lee, 2010). What the conference ultimately achieved was a sense of solidarity between Asian and African States. It signified a refusal by colonial and ex-colonial states to continue to take orders from colonisers and an acknowledgement that they were able to discuss international problems and provide a unified viewpoint (Prashad, 2007: 41).

President Sukarno's opening speech at Bandung is filled with references to the responsibility of those present following their independence from colonial powers and their duty to find solutions to the problems facing humanity:

'For many generations our people have been the voiceless ones in the world. We have been the unregarded, the peoples for whom decisions were made by others whose interests were paramount, the peoples who lived in poverty and humiliation. Then are nations demanded, nay fought for independence, and achieved independence, and with that independence came responsibility. We have heavy responsibilities to ourselves, and to the world, and to the yet unborn generations. But we do not regret them' (Sukarno, 1955).

There was a strong sense of overcoming domination at Bandung. The majority of those nations present had been subject to the colonial domination of Western Europe for time periods spanning decades to hundreds of years (Wright, 1956). These were the nations that had suffered the violence of colonialism and had fought relentlessly for their freedom in order that they would be able to shoulder the responsibility of providing solutions for the problems of humanity. As Wright describes it, Bandung represented a meeting of 'the despised, the insulted, the hurt, the dispossessed – in short, the underdogs' (1956: 12).

Sukarno's speech goes on to describe the new guises of colonialism that the recently independent African and Asian nations need to be wary of:

'Colonialism has also its modern dress, in the form of economic control, intellectual control, 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' (Sukarno, 1955).

The Bandung Conference represented not only a collective of formerly colonised nations, but a collective of formerly colonised nations that sought to challenge the neocolonial forms of power being established by the major imperial powers. Their unity came not from cultural or racial likenesses, but from a political opposition to colonialism in any and every form (Prashad, 2007: 34). This position was frequently articulated throughout the conference, particularly in regards to aspects of military defence. Whilst it was accepted that these countries had the right to self-defence in response to military aggression, there was an agreement to refrain from collective defence that served the interests of the major powers (Acharya and Tan, 2008: 8). These nations would no longer play the role of protection for their imperial masters. Their identity would now be defined by their role in an Asia-Africa alliance, no longer by the colonised-coloniser relationship.

As well as being a space for the creation of a unified Asia-Africa identity outside of the United Nations, the conference aimed to establish a cohesive set of proposals for anti-colonial resistance *within* the United Nations. In returning to the United Nations with a set of demands for

independence, those present at the Bandung Conference needed to be clear and united in their approach. The conference succeeded in generating a well-defined set of proposals, with the Final Communiqué stating the following agreements:

‘The Conference is agreed:

- (a) in declaring that colonialism in all its manifestations is an evil which should speedily be brought to an end;
- (b) in affirming that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation;
- (c) in declaring its support of the cause of freedom and independence for all such peoples, and
- (d) in calling upon the powers concerned to grant freedom and independence to such peoples’ (Asian-African Conference, 1955).

What we see in the outcome of the Bandung Conference then is a clear, unified demand for decolonisation in every sense and a growing scepticism with the United Nations and the institutionalised privilege of the world’s major powers. The Final Communiqué shows an acknowledgement of the contradictions inherent in the Charter of the United Nations, which enshrines the principle of human rights whilst allowing the continuation of imperial domination. The Bandung Conference

‘declared its full support to the principle of self-determination of peoples and nations as set forth in the Charter of the United Nations and took note of the United Nations resolutions on the rights of peoples and nations to self-determination, which is a pre-requisite of the full enjoyment of all fundamental Human Rights’ (Asian-African Conference, 1955).

The conference was therefore using the contradictions apparent in the rhetoric and practices of the United Nations in order to push for independence for those nations still under colonial rule. This consolidation of anti-colonial resistance gained strength in the years following Bandung through the conflict between two of the United Nations' major players: the United States and the Soviet Union.

The Cold War provided an opportunity, both for the anti-colonial movement and for the two superpowers. The struggle against colonialism within the United Nations had become a major issue of ideology and the Soviet Union quickly realised they could use this to their advantage, claiming to be the 'true defenders' of freedom amongst those major powers that continued to defend colonial rule (Mazower, 2012: 249). The anti-colonial movement therefore found itself with a key ally in the form of the Soviet Union, who sought to establish influence over the states of Asia-Africa. The United States on the other hand, whilst also seeking to establish influence and harvest support during the Cold War era, were disadvantaged by their close relationship with the colonial powers. Despite their known anti-colonial stance, the United States were reluctant to openly confront their closest allies over the issue of colonialism (Mazower, 2012: 249). As the major powers were locked in conflict, with the Security Council being rendered almost useless due to the extraordinary use of veto during decision making, much of this played out in the General Assembly. As all member states have a seat in the General Assembly, this became the central site for anti-colonial resistance by the newly formed Asia-Africa alliance, bolstered by the support of the Soviet Union. This period therefore saw the General Assembly become a key space within which newly independent states were able to push decolonisation onto the

agenda, confronting and challenging the power of their former colonisers (Patil, 2008: 40).

In addition to the political consequences of Bandung, in the form of addressing decolonisation within the United Nations, it also represented a significant moment in terms of non-Western solidarity. Indeed, one of the key agreements of the conference was that regardless of the ideological divide between nations within the context of the Cold War, conflicting political beliefs or ideologies should not be the basis for excluding nations from international forms of solidarity (Acharya and Tan, 2008: 5). Whilst nations had differing positions on the ideological divide characteristic of the Cold War, this would not prevent the development of an anti-colonial solidarity. Bandung signified an understanding of international cooperation as acceptance of diversity and an agreement to overcome ideological conflicts in the interests of pursuing rights for the colonised and formerly colonised (Acharya and Tan, 2008: 14). Regardless of the differing political positions of those in attendance, the core message of Bandung was anti-colonialism.

The anti-colonial resistance to the United Nations that had taken shape during the San Francisco conference reached its peak in the Bandung conference of 1955. The failure of the United Nations to deal with colonialism and to formalise a commitment to independence in 1945 generated an intense resistance to the organisation and forged an alliance between a large number of Asian and African states. The Bandung conference, alongside meetings that followed, had provided the space within which the Asia-Africa alliance could prepare the demands that became associated with the Third World Project, which included a redistribution of global resources, a fairer global labour market and a recognition of the contribution of Asia and Africa to developments in

technology and culture (Prashad, 2007: xvi). It was the beginning of a longer-term project that sought to address global inequality, beginning with demands for full independence for the remaining colonies of the world. The Third World alliance was eventually given its opportunity to push decolonisation onto the agenda as part of the years of Cold War conflict that threatened to render the United Nations irrelevant and incompetent as a result of the prevention of action by the United States and the Soviet Union. Eventually, this anti-colonial pressure was too huge to ignore and the United Nations had to address decolonisation.

### **The United Nations and Decolonisation**

In December of 1960, the mounting pressure for decolonisation within the United Nations resulted in the Declaration on the Granting of Independence to Colonial Countries and Peoples, which was adopted by a resolution in the General Assembly. The Declaration stated that:

- '1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.
2. 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.
3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.
4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise

peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity' (United Nations, 1960).

In words not dissimilar to those used in the Final Communiqué of the Bandung Conference, this declaration signaled an acknowledgement of the contradictory rhetoric of the Charter. This declaration was unsurprising given that 1960 had seen 16 new states granted independence and membership to the United Nations, meaning the Asia-Africa bloc had 46 out of 99 votes in the General Assembly (Mazower, 2009: 185). The anti-colonial unity within the General Assembly could therefore no longer be ignored. Undoubtedly, decolonisation was an achievement of the anti-colonial movement that had grown in strength since the end of the First World War and the Paris Peace Conference. However, it was also the case that the leading powers of the United Nations began to see that decolonisation would be key for the continued existence of an

international institution that legitimised their considerable global influence. This new majority in the General Assembly was one that the major powers needed to keep on side if they wanted the United Nations to continue to exist and so the process of decolonisation was inevitable (MacQueen, 2011: 31).

The anti-colonial unity between African and Asian states formed at Bandung has continued in the years after formal decolonisation in the form of the Non-Aligned Movement (NAM) and the Group of 77. Although the original aim of these assemblages has been met through the formal process of decolonisation and as such their unity is not so heavily required after the end of the Cold War, they continue to exist in a diluted form to provide a space within which Asian, African and Latin American leaders can meet to discuss their joint interests and to agree upon strategies to push for these interests within the United Nations (Lee, 2010). The Group of 77 in particular focuses on promoting 'South-South' strategies for development and in fact has now expanded from its original 77 members to include 134 states (Group of 77, 2016). In spite of the end of formal colonialism, these states continue to provide some form of resistance to the domination of colonial powers in new forms. Their existence outside of the United Nations signifies a continued mistrust of the major powers and a resistance to the neocolonial forms of domination and exploitation facilitated by the United Nations and its structure.

## **Conclusion**

This alternative narrative presented here provides a challenge to the conceptualisation of decolonisation as a successful product of the United Nations as an international institution. It represents a challenge to the United Nations' proud claim that 'in a vast political reshaping of the world,

more than 80 former colonies comprising some 750 million people have gained independence since the creation of the United Nations' (United Nations, 2016). Rather, it has argued that decolonisation was the result of sustained anti-colonial resistance throughout the twentieth century. Where the standard historical narratives fail to acknowledge the existence of anti-colonial resistance in the founding stages of the United Nations, this chapter has re-narrated this history in order to establish the systematic way in which colonialism has been silenced, both at the time of the organisation's founding and throughout standard accounts of its history. The use of archival documents throughout this chapter contributes to a de-silencing of these anti-colonial histories, both at San Francisco and at Bandung. The documents quoted reveal the extent to which resistance to colonialism was silenced and not deemed significant for the establishment of an international organisation, which in turn reveals the extent to which the United Nations was never intended to be a universal organisation, but rather was a product of empire and an institution that sought to maintain the power relations of empire (Mazower, 2009). In this thesis, the use of archival data represents an understanding of the power of archives to de-silence those groups that have been 'disenfranchised by the dominant regimes of truth' (Burton, 2005: 2). These documents show that the United Nations was subject to anti-colonial resistance both prior to its establishment and in the years that followed, but that this anti-colonial resistance was both dismissed and silenced at the time and has been dismissed and silenced in the standard historical narrative of the institution. The archival data paints a disturbing picture in terms of the number of anti-colonial groups that have had their voices silenced.

Starting with the anti-colonial resistance aimed at the League of Nations and travelling through history up until the present day with the Group of 77 and the Non-Aligned Movement, this chapter has emphasised this

history of resistance in order to show the power afforded to particular states in the construction of the United Nations through their very ability to silence it. It has illustrated the degree to which the major powers in the United Nations are able to ensure that the United Nations is always an organisation that seeks to promote their interests and to defend their position, in this case in terms of claiming responsibility for the process of decolonisation after a general acceptance that colonialism was no longer an appropriate way of ordering relations between nations. This chapter has endeavoured to contend that to continue to silence these histories of resistance through an inaccurate narrative of the history of the United Nations is a form of complicity in the imperial domination that these organisations perpetuate.

**Part Two:**  
**Postcolonialism in Practise**

## Chapter 5: Sovereign (In)Equality

'The contradiction was that even while the West asserted that colonialism was a thing of the past, it nevertheless relied precisely on those relationships of power and inequality that had been created by that colonial past to maintain its economic and political superiority which it then attempted to entrench through an ostensibly neutral international law' (Anghie, 2005: 216).

### Introduction

The previous four chapters have established the theoretical and methodological framework within which the rest of this thesis is located. The purpose of the next three chapters is to explore this theoretical approach in relation to particular aspects of the United Nations. This will begin here in Chapter 5 with an examination of the concept of sovereignty and the way in which it features in the grounding principles of the United Nations and earlier international organisations. The argument of this chapter in particular, following on from the claims introduced in Chapter 2, is that sovereignty features as a grounding principle in international institutions such as the League of Nations and the United Nations but that sovereignty is itself a concept with a particular history and with power relations built into it. Building upon the claims of Part One of the thesis, this chapter will argue that international institutions have used the concept of sovereignty as a means of justifying and legitimating unequal power relations that were initially established through the colonial encounter (Anghie, 2001). Sovereignty in this sense is a key concept in understanding the ways in which the United Nations is both built upon and perpetuates colonial power relations, which is the broad focus of the thesis.

The chapter will begin by looking at how sovereignty featured within the League of Nations, particularly in relation to the mandate system and how the League dealt with the administration of colonial territories, following on from the approach established in earlier chapters based on Mazower's understanding of the United Nations as 'evolution not revolution' (2009: 17). In order to understand the use of the concept of sovereignty within the United Nations, it is necessary to understand its place in the League of Nations, particularly with regards to the supervision of colonial territories.

However, as the League's approach to sovereignty formed the basis of significant criticism of the League of Nations, the second section of the chapter will move on to look at the distinction between the two concepts of 'sovereignty' and 'sovereign equality' that was introduced in the founding of the United Nations and its significance for the legitimation of the continuation of colonial power relations. Finally, the chapter will explore the issue of trusteeship within the United Nations and how this was dealt with at the United Nations Conference on International Organisation in San Francisco, in order to claim that the system of trusteeship established by the United Nations sits in contradiction to its claims to a commitment to sovereign equality and to equality more broadly.

The argument being developed throughout this chapter is based on Anghie's assertion that the concept of sovereignty was generated by the colonial encounter and the need to assert the dominance of one nation over another, and that as such, the sovereignty granted to former colonies will always be distinctive in relation to the sovereignty of European nations (2005: 6). Following this line of argument, this chapter will examine the concept of 'sovereign equality' that was considered a core principle for the establishment of the United Nations, arguing that this concept is inherently

contradictory and serves to legitimate a global order that was established through the process of colonial domination.

### **Sovereignty in the League of Nations**

‘The high contracting parties,  
In order to promote international co-operation and to achieve  
international peace and security  
by the acceptance of obligations not to resort to war,  
by the prescription of open, just and honourable relations between  
nations,  
by the firm establishment of the understandings of international law as the  
actual rule of conduct among Governments, and  
by the maintenance of justice and a scrupulous respect for all treaty  
obligations in the dealings of organised peoples with one another,  
Agree to this Covenant of the League of Nations’ (League of Nations, 1919).

As previously detailed, the League of Nations was established in 1920 following the meeting of the allied victors of the First World War at the Paris Peace Conference in 1919. As this introductory paragraph to the Covenant suggests, the League was set up with the aim of providing collective security at the international level in order to prevent an outbreak of conflict on a similar scale in the future (MacQueen, 2011: 6). The 44 states that signed the Covenant of the League of Nations on 28<sup>th</sup> June 1919 hoped that the creation of an international institution would see the abolition of war and healthier methods of conflict resolution in the future. Where previously, individual governments had made alliances between themselves, the League of Nations was an attempt at a much larger international alliance which would attempt to police the use of force by the

world's greatest military powers. The outbreak of the First World War had demonstrated that these traditional alliances could not be relied upon to keep the peace, and so the League of Nations was established as an international coalition of states (Birn, 1981: 6).

The concept of sovereignty was fundamental to the League of Nations as an international system of governance. Like the United Nations after it, the League of Nations signified a cooperation of independent states, which ultimately rested on the belief of the sovereignty of each individual state (Mazower, 2009: 150). Whilst the League of Nations was a collective, it was not designed to diminish the right of each individual state to rule over its own territories. Sovereignty in this context is therefore understood in terms of what Moses terms 'de facto sovereignty' (2014: 27). De facto sovereignty refers to an understanding of sovereignty as the right of states to make final decisions regarding their territories and not to be governed by the rules of other states within international organisations (Moses, 2014: 27). The League of Nations represented an agreement that states would co-operate in order to attempt to prevent another world war, but the definition of sovereignty in this context meant that individual states ultimately retained the power to make their own decisions, rather than being made accountable to the rules of behaviour that governed other states. Rather than creating a world government, the League of Nations was more of an agreement between individual states to respect the sovereignty of one another and as such to not act aggressively towards one another.

In line with this, it was generally understood that each national government should retain control over their military forces. In spite of Article 8 of the Covenant requesting that national armaments be reduced to 'the lowest point consistent with national safety' and a requirement that

members exchange 'full and frank information as to the scale of their armaments', these military forces remained under national control (League of Nations, 1919). There was no obligation for states to surrender their military forces for the greater good and any decision to participate in collective military action remained the decision of the individual state. Sovereignty in this context then, was the right of each nation to maintain control, both in terms of their military forces and their ability to make their own decisions regarding responses to acts of aggression and international conflict. However, sovereignty was also a key concern in relation to colonial territories and those territories liberated from the defeated powers of the First World War.

As seen in Chapter 1, the League of Nations established the mandate system in order to manage those territories that had belonged to the defeated parties of the First World War. The aim of this system was in theory to provide some level of accountability on the part of the victorious powers so that the mandated territories were not simply subsumed into existing empires. In principle, mandatory administration was intended to make imperial rule a project of development in order to prepare territories for self-government, however in reality, it failed to do so (Pedersen, 2015: 4). The concept of sovereignty was key to the League's approach to mandated territories and caused a significant level of dispute between its members. The mandate system claimed to be acting to prevent conquering powers from gaining full sovereignty and hence full control of the mandated territory and its military forces. However, it was not made clear to whom this sovereignty belonged either in the Covenant or in later discussions (Pedersen, 2015: 204). The mandated territories were certainly not considered sovereign, but neither could they be allowed to be seen as being transferred from the hands of one imperial master to another. The result was that neither the mandated territory nor the mandatory power

was considered to have sovereignty over the territory and as such, sovereignty was simply absent from these spaces altogether (Pedersen, 2015: 232).

However, in the absence of sovereignty being granted to the mandatory power, sovereignty could not be denied to these territories forever. What the mandate system attempted to establish was that these territories were working towards self-government, with Article 22 of the Covenant referring to 'peoples *not yet* able to stand by themselves' (League of Nations, 1919, emphasis added). In theory, the mandated territory would be recognised as sovereign and cease to be governed by an imperial power directly and the League of Nations indirectly once it was considered 'civilised'. However in reality, the mandatory power decided the moment at which the mandated territory had achieved a sufficient level of civilisation that independence was appropriate (Grant, 2007: 89). Although the mandate system claimed to be a process of granting sovereignty to the territories that had formerly belonged to the empires of the defeated parties of the First World War, in actuality, it formed part of a process of imperial legitimation. By granting imperial powers the responsibility of overseeing the development of these territories into civilised sovereign states, the mandate system justified imperial rule as a system of domination. It allowed the sovereignty of colonial territories to be determined by imperial powers.

The mandate system reinforced those ideas about development and civilisation that justified the colonial project. By understanding colonial territories as existing in an earlier stage of development than imperial powers, it was possible to justify both colonialism and the mandate system as projects of tutelage and development. The League of Nations embraced the already established colonial discourse of civilisation that allowed

countries to be ranked in terms of their adherence to European cultural values, defining the mandate system as a relationship between the civilised and the uncivilised (Grant, 2007: 80). Cultural difference within the mandate system was therefore viewed as a distinction between backwards and advanced nations, with those nations categorised as advanced bearing the responsibility to teach the people of backwards territories how to advanced (Anghie, 2001: 621). The League of Nations, through the mandate system, reinforced those problematic ideas about difference and civilisation that justified the colonial project from its outset. It reinforced the notion of a cultural hierarchy with European culture at its peak, and the concept of sovereignty was intricately bound up in the maintenance of this discourse.

As Anghie (2001) argues, the significance of sovereignty within this framework has two key aspects. Firstly, that sovereignty became the promised reward for territories that exhibited desirable behaviour and the mandate system encouraged this with the support of the discourse of civilisation (Anghie, 2001: 617). The mandate system was presented as a process of development that would allow those territories that were not deemed ready for self-government to be supervised by nations at the height of civilisation in order that the whole world would be a better place. As such, sovereignty was used as the ultimate reward for territories that showed their ability to be a part of a global civilised society through adherence to European cultural values. Secondly however, Anghie argues that the sovereignty that would be granted to non-European territories within the League of Nations framework was distinctive by virtue of it having to be granted, rather than being inherent as it was for European nations; this system established European sovereignty and non-European sovereignty as two distinct categories (2001: 520). The mandate system therefore used the concept of sovereignty as an incentive for the people of

mandated territories to behave in particular ways, without acknowledging that the sovereignty that would be granted to them would never be equivalent to the sovereignty held by European nations. The fact that the imperial authorities had the power to decide when mandates had reached the point at which sovereignty could or should be granted clearly shows that the right to govern associated with mandates and mandatory powers was distinct. The significance of the idea of sovereignty within the League of Nations therefore is that it enabled the development of new systems of control that were informed by imperial discourse.

It is clear then that sovereignty was a key concept within the League of Nations as an international institution. It formed the basis of the relationship between member states in terms of their right to make final decisions and to rule their territories, which Moses terms 'de facto sovereignty' (2014: 27). Sovereignty in this context represented the idea that despite the League of Nations signifying an agreement to engage in collective security, members retained ultimate authority over their level of involvement and collective security amounted to a commitment to respect the sovereignty of other states by resisting acts of military aggression. This desire to maintain national sovereignty was therefore fundamental for those states signing the Covenant of the League of Nations, which was the first real attempt at an international cooperation of states as opposed to individual partnerships between states (Schlesinger, 2003: 17).

However, sovereignty was also a key feature in the relationship between member states and non-member states, particularly the existing colonies that belonged to imperial member states and the colonies that had belonged to the defeated nations of the First World War. In this context, the mandate system saw sovereignty function as a prospective reward for territories deemed too uncivilised to govern themselves, which allowed for

the perpetuation of imperial control under the guise of development (Anghie, 2001: 608). Whilst sovereignty was automatically assumed for member states of the League, it had to be granted to these mandated territories and became a justification for a relationship of dominance and control. Sovereignty was key to the organisation of the world that was reinforced through the League.

The outbreak of the Second World War however resulted in the League's system of international organisation being deemed a failure and calls for a new way in which to deal with an increasingly global world. The notion of sovereignty and respect for the sovereignty of individual states that had been written into the organisation of the League of Nations was no longer considered sufficient in dealing with potential acts of aggression by the major military powers and so a new way of organising the world was required (MacQueen, 2011: 13). Keen to distance itself from the negativity surrounding the imperialism of the League, the United Nations began discussing international organisation not in terms of sovereignty, but in terms of sovereign *equality*.

### **The United Nations and the Move Towards Sovereign Equality**

The United Nations wished to frame itself as a new organisation aiming to address the failures of the League of Nations, which had been universally proclaimed a failure. As a significant amount of criticism had been levelled at the League for being exclusive and for protecting the rights of individual states too much, the United Nations sought to promote itself as a universal institution with the potential for global membership. In doing so, it had to appear to be inclusive and based on a commitment to equality and equal representation. Where the League had been criticised for its respect for

the national sovereignty of its exclusive members, the United Nations began with a commitment to equality in terms of the sovereignty of its much broader membership (MacQueen, 2011: 13). However, this rhetoric of sovereign equality that we see in the formation of the United Nations fails to acknowledge the colonial origins of the concept of sovereignty. Furthermore, the privileging of the sovereignty of certain nations over and above that of other nations and the United Nations' continuation of the power structures established by the League render claims to 'equality' both problematic and misleading.

In contrast to the League of Nations, the United Nations wished to avoid the sense of inefficiency in decision making associated with the protection of national sovereignty and the control retained by individual governments. Instead, it was promoted as allowing for the possibility of effective collective action where required, whilst retaining the 'purity' of national sovereignty (Schlesinger, 2003: 17). Governments would still be considered sovereign, but there was a greater sense of international responsibility attached to the United Nations. The structure of the United Nations also contributed to this more efficient process of decision making, but we will return to examine this in Chapter 6. The aim of the United Nations was to create an institution that could deal with problems of international conflict and security through collective decision making, rather than leaving decisions around intervention and military aggression at the hands of individual governments as had been seen in the League. Indeed, there was a strong awareness of the need to avoid the faults of the League in the founding of a new organisation if it was to be successful (Archer, 1992: 24). In order to address this, the focus of the United Nations became less an issue of protecting national sovereignty and more an issue of promoting and respecting sovereign equality. However, as this section

will show, the sovereignty afforded to member states was not always as equal as it was claimed.

The preamble to the Charter is the first reference to equality within the United Nations as an international body, affirming '...the equal rights of all men and women and of nations large and small...' (United Nations, 1945:2). This definition was much the same within the context of the League of Nations, but as the Charter progresses, the significant difference is the focus not just on sovereignty but sovereign *equality*. Article 2 of the United Nations Charter asserts this explicitly, stating that 'the Organization is based on the principle of the sovereign equality of all its Members' and also emphasising the obligations of the charter as applicable to 'all members' (United Nations, 1945: 3). The United Nations was in much the same way as its predecessor a cooperative body of independently existing sovereign states, however their fundamental equality was in this case explicitly stipulated in the language of the governing documents, where it had been rather more implicit in the League of Nations (Mazower, 2009: 149). It would seem then, that the United Nations as an international body was trying in theory to avoid affording individual governments the power to dominate international relations. However, it becomes difficult not to be sceptical of these claims once the structure of the organisation is examined in more detail. Indeed at this point, it would seem that the initial claims to equality are present in order to disguise the incredibly unequal power relations built into the institution.

Patil (2008) argues that the Charter of the United Nations is ultimately an expression of the sovereignty of the Western powers, formalising their rights as sovereign nations over the rights of colonies and dependent territories who are not included in this claim to equality as a result of not being considered sovereign. The emphasis of the charter not on equality

per se but on *sovereign* equality works to exclude those territories and peoples not yet considered sovereign by the international community, i.e. existing colonies and territories held under the League of Nations mandate system, which would soon transform into the trusteeship system of the United Nations. As such, the claims to equality made in the Charter are somewhat misleading as they only apply to those nations already considered sovereign. This creates a hierarchy within the international community whereby the rights of existing sovereign (imperial) states are enshrined in the Charter as a fundamental principle, making the prospect of decolonisation problematic (Patil, 2008: 44). The sovereignty of the initial member states of the United Nations is written into the Charter as its primary principle, meaning that the rights of colonies and other non-self-governing territories will always be secondary to the right of sovereign states to govern those territories. This framework is clearly a problematic starting point for the process of decolonisation.

The United Nations claims that since its establishment in 1945 'more than 80 former colonies have gained their independence' (United Nations, 2016). The United Nations is frequently praised for leading colonies to independence, with Baehr and Gordenker stating that 'most of the present UN members are former colonies that gained political independence through direct or indirect involvement with the United Nations' (2005: 114). Whilst it is undeniable that decolonisation gained momentum following the establishment of the United Nations, to attribute this to the United Nations itself is deceptive. Chapter 4 detailed an alternative narrative that emphasised the intense work of the anti-colonial movement in pushing for decolonisation and the recognition of this narrative challenges the notion that the United Nations as an organisation was responsible for achieving independence for colonies and dependent territories. However for the purposes of the discussion here, the more

significant point is that although a large number of countries have gained independence since 1945, the sovereignty that is granted to them is not equal to the sovereignty of the initial member states of the United Nations. As Anghie argues, international law and its associated institutions were responsible for the creation of two different forms of sovereignty: European and non-European (2001: 520). The sovereignty granted to former colonies and dependent territories through United Nations decolonisation would never be equivalent to the inherent sovereignty of Western nations that was enshrined in the principles of the Charter. The very fact that one form of sovereignty is natural and the other must be granted - based on an adherence to European ideas of civilisation - surely makes the idea of sovereign equality for these nations impossible.

As Pahuja argues, the discourse of development that was so central to the development of both these international organisations does the work of reconciling the contradictions between the commitment to sovereign equality and the fact that certain nations remain under imperial control, allowing the United Nations to exist as an institution committed to universality whilst also emphasising Western values as exemplary (2011: 46). The standard narrative of development and progress allows the idea of sovereign equality to exist without meaning actual equality for all nations, through the categorisation of colonies and dependent territories as existing in an earlier stage of development and by holding sovereignty and sovereign equality as the ultimate end goal. This is an example of what Bhabha (1994) terms a 'time-lag' of cultural difference, whereby nations that do not conform to European cultural values are framed as existing in an earlier period of history, whilst always being on the path of progress. However, this narrative of development fails to recognise that the sovereignty granted through decolonisation is in a secondary form, not equivalent. No matter how long these former colonies travel on the road to

progress, they will never reach the prize of sovereignty that is equivalent to the sovereignty inherently characteristic of their imperial masters.

To view sovereign equality within the United Nations in the way suggested here reiterates the colonial foundations of the concept of sovereignty, whereby sovereignty is used to legitimate a global hierarchy of power. As discussed in the previous section in relation to sovereignty within the League of Nations, Anghie argues that the discourse of sovereignty was born out of the colonial encounter as a way of establishing the inferior nature of non-European territories in order to justify colonial occupation (2014: 130). The concept itself is intrinsically colonial as its initial function was to justify imperial rule. To continue to use the concept of sovereignty as a way of understanding the place of different territories within the international community is therefore a form of postcolonial power. In spite of formal decolonisation, the idea of sovereignty is bound up in its colonial history and can never be a neutral status, nor can it ever apply to all territories equally. An international system of governance based on the sovereignty of states will always be a European system of governance (Archer, 1992: 27). The fact that the United Nations emphasised sovereignty as the primary principle of relations between states is further evidence that it was not a revolutionary institution, and as argued throughout the first half of this thesis, in spite of the decolonisation seen since the beginning of the United Nations, it is ultimately a product of empire (Mazower, 2009: 17). This chapter argues that the concept of sovereignty and the discourse of sovereign equality has been key to both maintaining forms of colonial power and to disguising them.

## **Sovereign Inequality and United Nations Trusteeship**

As has been made clear, the United Nations presented itself as an institution that was attempting to deal with the perceived failures of the League of Nations in order to create a more effective system of collective security through the notion of sovereign equality. Where the League had been criticised for its exclusivity and the dominance of the colonial powers in international security, the United Nations aimed to position itself as a universal organisation that recognised the sovereignty and equality of all nations. However, in addition to the ways in which the concept of sovereignty itself can be criticised from the perspective of its colonial origins, the United Nations' formal commitment to sovereign equality is undermined when we examine the systems designed to deal with the management of colonial territories and how they were developed. These systems can be understood as neocolonial technologies of power, which are strategies of control designed to replace colonial practices as the key instruments of imperialism in the face of decolonisation and independence (Nkrumah, 1965: ix). As has already been suggested, the trusteeship system of the United Nations was little more than a re-branding of the League of Nations mandate system, and as such saw the continuation of associated forms of colonial power and domination. The trusteeship system signifies yet another way in which the United Nations was the product of evolution from the League, not a revolutionary approach to international politics (Mazower, 2009: 17).

As detailed in Chapter 1, Article 22 of the Covenant of the League of Nations established former colonial possessions of the defeated parties of the First World War as mandate territories to be supervised by imperial powers. These territories were categorised based on the degree to which they were deemed 'able to stand by themselves' (League of Nations, 1919).

As has also been previously highlighted, many of the ideologies and structures present in the League of Nations were modified and re-branded for their inclusion in the United Nations. The dissolution of the League of Nations meant the end of the mandate system and thus an opening for a different approach to negotiating the colonial relationship. However, even in the face of public pressure around decolonisation, the United Nations did little to encourage independence for those territories that had been subject to subordination by the mandate system (Sherwood, 1996: 90). Rather, they were to be transferred to a re-branded Mandate System in the form of the United Nations trusteeship system, with Article 77 of the Charter of the United Nations detailing the territories that should be dealt with under this new system. Article 77 of the Charter reads as follows:

‘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.’ (United Nations, 1945).

In spite of the grand claims to equality outlined in the preamble of the United Nations Charter, it failed to establish decolonisation and independence for the colonies as reasonable objectives for the international community. This new system saw a continuation of the colonial relationships supported by the Mandate System in the League of Nations. Indeed, Article 79 of the Charter states that

‘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...’ (United Nations, 1945).

The trusteeship system established by the United Nations did not seek to transfer control from imperial powers to an international organisation in order to begin the process of decolonisation. Rather, it sought to establish a system that appeared to be beginning this process whilst maintaining the rights of colonisers to rule their territories as they saw fit. The system of trusteeship established by the United Nations continued the colonial ideologies established in the League with a focus on development and progress with Western liberalism as the ultimate goal for all states (Mazower, 2009: 201). The trusteeship system reinforced colonial ideologies whereby Europe was equated with development. However, the neo-colonial relationships established through the system of trusteeship in the context of the rhetoric around equality in the United Nations seem to be somewhat contradictory.

Although the sponsoring nations wished to frame the United Nations as a new organisation that would succeed where the League of Nations had failed, as we have already seen in Chapter 4, the issue of colonialism and colonial independence did not appear to feature as a high priority. Concerns around national sovereignty were in regards to relationships between colonial powers as opposed to relationships between colonial powers and colonies or dependent territories. Indeed, the motivational forces that had led to the development of the League after the First World War were to a large extent the same motivations that prompted the development of the United Nations, that is, a system of international

cooperation to prevent wars between powerful states (Haas, 2009: 3). The relationships between these powerful states and their colonies were not seen to be within the scope of international organisations as to challenge colonialism was to challenge the sovereignty of imperial powers. Although the rhetoric of the United Nations suggests its establishment was a response to the events of the Second World War, creating an organisation capable of protecting individuals from the violence such as the Second World War had seen, in reality it was filling the space left by the League in terms of a formal agreement between powerful states to avoid conflict on a global scale. The trusteeship system was developed in the process of the establishment of the United Nations in order to manage the colonial territories that had formerly belonged to the League of Nations Mandate System and those that had been taken from the defeated parties of the Second World War, whilst recognising that the mandate system could not be continued under the same name.

Although any discussion of colonial territories had been notably absent from the Dumbarton Oaks Conference, this was an issue that was scheduled to be dealt with at San Francisco (Nicholas, 1975: 10). As previously discussed in Chapter 4 however, the conference at San Francisco saw the exclusion of numerous groups representing colonised peoples who campaigned for decolonisation to be put on the agenda for the United Nations (Sherwood, 1996: 82). A number of anti-colonial groups at San Francisco expressed a desire to address the issues of decolonisation and sovereign equality for all territories involved in the organisation. However, Western powers showed no desire to discuss these issues, instead wishing to protect their own sovereignty and the rights of their own states above all else (Patil, 2008: 42). Even those groups who had been invited to be a part of national delegations such as the National Association for the

Advancement of Colored People were unable to generate significant discussion around decolonisation.

The system of trusteeship outlined in the Charter of the United Nations perpetuates the notions of development and civilisation present in the mandate system of the League of Nations, ensuring that imperial powers have control over the development of particular nations in order for them to be granted independence and to be recognised as sovereign states (Rajagopal, 2003: 72). As with the mandate system, the principle of trusteeship was based upon a narrative that distinguished between developed, wise and paternalistic administrating authorities (i.e. imperial powers) and undeveloped, irrational and childlike dependent territories in order to justify a system of control and domination (Patil, 2008: 96). The trusteeship system was legitimated by this narrative of development and the potential for eventual self-government. Whilst this system appears on the surface to be addressing the increasingly contentious issue of decolonisation on the basis that dependent territories will be guided to independence via trusteeship, the rhetoric of sovereign equality that features so heavily in the United Nations' founding documents disguises its neocolonial mechanisms of control. The idea of tutelage reinforces a world view with Europe as the height of civilisation and other cultures as existing in an earlier stage of progress.

The trusteeship system that was formed by the United Nations was not therefore a system that would recognise the sovereignty of all states in line with a commitment to sovereign equality. Rather, the notion of sovereign equality stood in contradiction to the trusteeship system, which allowed for the continuation of the colonial management of colonies and dependent territories. The trusteeship system reinforced problematic ideologies of development that supported a hierarchy in terms of

civilisation, recognising the inherent sovereignty and equality of developed Western states and the need for other parts of the world to earn their sovereignty through adherence to Western values (Anghie, 2001: 621). In order to fully understand how this system was developed and the particular interests of states that had influence on its structure, it is necessary to return to the San Francisco conference and explore the ways in which sovereignty and trusteeship featured within these initial discussions of the United Nations.

### **Sovereignty and Trusteeship at San Francisco**

The United Nations Conference on International Organisation (UNCIO) in San Francisco in theory provided a space for all those invited as potential members of the United Nations to discuss the proposals made by the sponsoring governments at Dumbarton Oaks and to agree on the contents of what would become the Charter of the United Nations. As such, issues of sovereignty and trusteeship inevitably featured in the discussions. However in reality, despite the sponsoring nations framing the San Francisco conference as a space for all nations to play a part in developing a universal organisation, discussions on working papers were limited in the same way that discussions on decolonisation were limited and did not allow for any radical amendments by smaller states (Twitchett, 1969: 178). San Francisco was in reality a space for prospective member states to agree to the proposals generated by the sponsoring nations at Dumbarton Oaks. This final section of this chapter will highlight the ways in which discussions around the trusteeship at San Francisco were centred on a problematic ideology of development and failed to deal with the contradictory nature of a system of trusteeship and a commitment to sovereign equality.

Organisationally, the conference was divided into four commissions: Commission I, General Provisions; Commission II, General Assembly; Commission III, Security Council; and Commission IV, International Court of Justice (United Nations, 2016). Each commission was then subdivided, resulting in twelve committees in total, each with a different focus in terms of establishing an agreed Charter. Committee 4 of Commission II was tasked with dealing with the existing mandate territories left over from the League's days and developing a system of trusteeship that would address the requirements of the relationship between dependent territories and their sovereign administrators. In spite of the range of perspectives held by committee members, the outcomes were largely in line with the wishes of the imperial powers. On the issue of trusteeship, even amendments suggested by some of the major powers at Dumbarton Oaks – namely the Soviet Union and China - were only tentatively included in final drafts. Existing imperial powers did not see independence as a normal outcome of colonial status and as such, were unwilling to include independence as the key outcome of a system of trusteeship (Gilchrist, 1945: 987). In spite of the existence of Committee 4, sovereignty for colonial territories was not considered to be a priority for discussion at the San Francisco conference. Rather, the imperial powers that dominated the conference sought to maintain a system of control through transferring colonial territories from the controversial League of Nations Mandate System to a seemingly new, although not much different, United Nations Trusteeship System. They sought to minimise discussion of decolonisation in spite of the mounting public pressure detailed in Chapter 4.

Concerns around the idea of independence as an objective of this proposed system within the committee meetings came largely from the delegation of the United Kingdom. Minutes from the fourth meeting of this committee state that the representative for the United Kingdom '...warned

the Committee against confusing independence with liberty. What the dependent people wanted was an increasing measure of self-government; independence would come, if at all, by natural development' (Summary of Fourth Meeting of Committee II/4, May 14<sup>th</sup> 1945). The United Kingdom delegation was keen to prevent independence being written into the Charter as the necessary eventual outcome of trusteeship. This quote exemplifies this British attitude to dependent territories, as well as emphasising the strong belief in the notion of progress as linear and the idea that particular nations exist in a 'time-lag' (Bhabha, 1994). Dependent territories are framed as being in an earlier stage of development, as being earlier versions of European states, with an understanding that they would eventually progress naturally and eventually be qualified to be recognised as independent sovereigns, whilst all the time emphasising their dependence. Although this progression is framed as natural, their development had become the responsibility of those sovereign states that had achieved civilisation and hence for the delegation of the United Kingdom, the purpose of the trusteeship system was to allow for the continuation of colonial rule that may or may not result in independence.

British representatives at San Francisco clearly sought to protect the empire and minimise United Nations support for independence for colonies and former League of Nations Mandate territories. Prior to San Francisco, British Prime Minister Winston Churchill had been assured by the other sponsoring nations at Yalta that no colony of the British Empire would be subject to the United Nations system of control without British consent (Baehr and Gordenker, 2005: 16). Despite assurances that the United Nations system would be voluntary for those colonies that were not either mandate territories or former colonies of enemy states after the Second World War, the British delegation seemed keen to prevent independence becoming a compulsory eventual target. However, the

principle of independence for colonial territories was significant for the representatives of the Soviet Union who had also raised the issue of trusteeship at Dumbarton Oaks (Haas, 2009: 12). In the same meeting of Committee 4, minutes state that

‘The Delegate from the Soviet Union observed that every member of the United Nations would be responsible for the system to be established. He did not agree that self-government alone would be an adequate objective, but emphasized the importance of independence, and reminded the Committee that the amendments to the Dumbarton Oaks draft proposed by the four sponsoring governments included “the self-determination of peoples” among the aims of the United Nations; this principle could hardly be omitted from the trusteeship chapter’ (Summary of Fourth Meeting of Committee II/4, May 14<sup>th</sup> 1945).

The delegation for the Soviet Union was clearly keen to challenge the aspects of the United Nations that would continue to legitimate imperial rule in any form.

Indeed, the representatives of the Soviet Union expressed increasingly anti-colonial sentiments throughout the course of the conference as their relationship with the other sponsoring nations became progressively tense. Relations particularly between the Soviets and the Americans began to deteriorate, resulting in a Soviet desire to increase their anti-colonial objections in order to present themselves as the singular proponents of true democracy (Anderson, 2003: 51). Their difficult relationship with the existing colonial powers led to an increased focus on supporting independence as the ultimate objective for colonial and former mandate territories under the new United Nations system. This view was reinforced in the Soviet amendments to the United States draft on the Trusteeship

system, which proposed that the basic objectives of the trusteeship system should include the promotion of

‘...the political, economic, and social advancement of the trust territories and their inhabitants and their progressive development towards self-government and self-determination with active participation of peoples of these territories having the aim to expedite the achievement by them of the full national independence...’ (Amendments of the Soviet Delegation to the United States Draft on Trusteeship System, May 11<sup>th</sup> 1945).

In contrast to the British view that independence would be an eventual natural outcome for some (but not all) of the territories under the new trusteeship system, for the Soviets the trusteeship system needed to have much clearer aims in terms of decolonisation and the full independence of dependent territories. For them, it was important that independence be written into the Charter, rather than being left as a decision to be made by administering nations and colonial powers. The independence of all territories was a necessary condition for the United Nations to fulfil its commitment to sovereign equality.

Despite the discussions at San Francisco and the concerns and objections of the Soviet delegation, what we see in the final draft of the United Nations Charter is a hesitance to interfere in colonial relationships, with Article 76 stating that the basic objectives of the Trusteeship System are:

- ‘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...' (United Nations, 1945).

The final draft is much more reflective of the British view that independence may not be appropriate for all territories. This idea harks back to the 19<sup>th</sup> century ideologies of civilisation that have been challenged throughout this thesis. These discourses, which are seen again here in discussions around trusteeship, construct a hierarchy that sees European civilised nations at its peak, followed by 'barbarous' nations who could be taught to be civilised and 'savages' who were entirely unable to achieve the levels of social complexity belonging to Europeans (Tarazona, 2012: 917). This desire to construct the world in terms of civilised/uncivilised and backwards/advanced is as present in the rhetoric of the United Nations as it was in the League of Nations, but perhaps more discretely.

Whilst the histories of the United Nations emphasise its desire to distance itself from the League of Nations and stress its novelty as an institution, the issue of trusteeship within the United Nations demonstrates the continuation of the strategies of colonial management seen in the League of Nations Mandate System, as well as the continuation of problematic underlying discourses of development and civilisation. The understanding that sovereign equality in the United Nations was a move away from the imperialist understandings of sovereignty in the League of Nations therefore seems incorrect. Rather, what we find is a contradiction between the claims to equality made in the Charter and the systems it details. The very fact that the United Nations developed such a system of management of particular territories and that independence was not always to be considered appropriate as a progressive development seems incongruent with its claims to '...the equal rights of men and women and of nations

large and small...’ as outlined in the preamble to the Charter (United Nations, 1945). We must therefore look more critically at the idea of sovereignty itself in international law and how it allows a particular understanding of progress.

As has previously been discussed, the idea of sovereignty in international law is guilty of neglecting to recognise its European origins and aiming to downplay its relationship to colonialism. International law is considered universally applicable, based on the interaction of sovereign states. However, the concept of sovereignty which features in international law is European in origin, raising an ideological conflict between its proposed universality and the denial of sovereignty to non-Europeans through the historical process of colonialism (Anghie, 2001: 516). Understanding the European origins of sovereignty as a concept allows us to see its role in the colonial ‘civilising mission’, whereby the colonial powers saw themselves as ‘...redeeming the backward, aberrant, violent, oppressed, undeveloped people of the non-European world by incorporating them into the universal civilization of Europe’ (Anghie, 2005: 3). What this does is create what Anghie terms the ‘dynamic of difference’, whereby a gap is created between two cultures with one as ‘universal’ (i.e. civilised) and one as ‘particular’ (i.e. uncivilised) (2005: 4). This ‘dynamic of difference’ allows colonialism to be justified as a process of civilising the uncivilised and incorporating ‘backwards’ nations into a stable system of international law.

This ideology is apparent in the discussions around the Trusteeship System at San Francisco, particularly in remarks made by British delegate Lord Cranborne. During a speech in the third meeting of Commission II (General Assembly), Lord Cranborne stressed the British expertise in matters of colonialism and argued for the necessity of non-specific principles on matters of trusteeship by saying that

'It is sometimes imagined by those who have not very closely studied colonial policy that all Colonies are alike. That is very far from the truth. They differ as much from each other as do metropolitan territories. They range from the most primitive areas in the Pacific and Central Africa to such highly civilized countries as Ceylon, Malta and Java. They are inhabited by peoples of different races, peoples of different religions and peoples at different stages of civilisation. Each must be administered differently to take account of the varying traditions, culture and capacities of the indigenous people.' (Corrigendum to Verbatim Minutes of Third Meeting of Commission II, June 20<sup>th</sup> 1945).

Lord Cranborne's speech again emphasises this dichotomy between civilised and uncivilised, perpetuating the understanding that people in particular parts of the world are naturally endowed with an advanced level of social complexity, whilst other nations are savage or barbarous (Tarazona, 2012: 917). This ideology fails to account for how it is that some countries come to be 'advanced' whilst others remain 'backwards' or 'primitive'. Colonialism is seen as the solution rather than the problem.

Within the context of international law, sovereignty is then born out of this encounter. The civilised nations are sovereign and the uncivilised must be instructed on how to be civilised in order to become sovereign. However, where European sovereignty was constructed as natural by international law, former colonies had to be granted sovereignty based on their adherence to European notions of civilisation (Anghie, 2001: 621). Within the context of the United Nations, this sovereignty would be granted to particular territories, although not necessarily all territories, through the trusteeship system which saw the creation of new forms of domination and control administered by colonial powers via the United Nations as an international institution (Anghie, 2005: 179). These new forms of control

were justified by presenting colonialism, as Lord Cranborne does, as a process of civilisation and development. The generally accepted understanding of international law as universal however disguises the colonial history of the concept of sovereignty and reproduces the 'dynamic of difference', legitimising inequalities in the global system (Anghie, 2005: 241).

This leads us to a rather more different understanding of sovereignty than the one presented by the United Nations. If we see sovereignty not as preceding colonialism but being created through the process of colonialism, it is not an unbiased way of understanding international relations. Whilst international law is theoretically based on sovereign equality between states, the influence of colonialism in its development meant that international law and its subsequent associated institutions created two distinct models of sovereignty: European sovereignty and non-European sovereignty (Anghie, 2001: 520). This is the only way in which it is possible to understand the co-existence of international law and colonialism. If we understand this to be true, it becomes clear that sovereignty is not a uniform category. The norms by which a state is considered to be sovereign are subject to change dependent on context (Doty, 1996: 149). The fact that definitions of sovereignty are historically, socially and politically contingent therefore suggests a challenge to the ideological universality of international law, and thus, a challenge to the equality of institutions with sovereignty as their basis, such as the United Nations.

Examining documents from the discussions around trusteeship at San Francisco provides an insight into the determination of the major powers to prevent the realisation of commitments to sovereign equality. The trusteeship system was designed in order to legitimise inequality through

the concept of sovereignty, with colonies and dependent territories being excluded from equality as a result of their inability to be sovereign. Having explored the structure of the system of trusteeship within the United Nations and the discussions held around it at San Francisco, it is possible to take issue with the United Nations' commitment to sovereign equality. This section has shown, through the use of archival data, the way in which the system of trusteeship established by the United Nations was not underpinned by a belief in the equality of all nations, but rather that it was based upon a hierarchical ordering of society and problematic ideologies of development and civilisation. Even in the face of opposition by the Soviet Union - a key player in the establishment of the United Nations – the delegation of the United Kingdom was able to argue for a system that protected the sovereign right of the British empire to rule over its territories over the right of its territories to be sovereign and equal.

## **Conclusion**

As Anghie argues, the concept of sovereignty was born out of the colonial encounter, as a way of dealing with the relationship between the European and non-European worlds (2005: 3). The concept of sovereignty was created in order to justify the domination of non-Europeans by Europeans, categorising the sovereign European states as more civilised and therefore as having a duty to educate. Both the mandate system of the League of Nations and the trusteeship system of the United Nations are therefore heavily shaped by colonialism due to their reliance on the concept of sovereignty as a way of ordering international relations. In using sovereignty as the basis upon which these systems function, both systems reinforce the ideologies of civilisation and development that underpin sovereignty as a concept.

The first section of this chapter focused on the function of sovereignty within the League and illustrated the way that the structures of control and domination established by the League of Nations Mandate System have played a key role in the development of successive systems. Using the work of Anghie, it has shown how the specific political and economic technologies which were established to manage the relationship between coloniser and colonised in 1919 continue to underpin the relationship between the major powers and the rest of the world in contemporary global relations (2001: 624). In both the mandate system of the League and the trusteeship system of the United Nations, so-called 'advanced' nations were required to act as educators, teaching people of the colonies how to develop into civilised nations, emphasising a singular understanding of progress with European modernity as its end point. This is a clear example of Patil's 'kinship politics', which are characterised by a paternal relationship between those nations considered civilised and those in need of civilisation (2008: 95).

Whilst this relationship and the logic behind it was fairly explicit in the League, the heavy criticism of the League and the public support of the project of decolonisation meant this relationship had to be more implicit within the United Nations. However, even discourses of sovereign equality rely on sovereignty as a way of organising global relations and therefore have their roots in colonialism. The purpose of sovereignty is always to empower some and disempower others (Anghie, 2014: 134).

This chapter argued that the trusteeship system established by the Charter was little more than a re-branding exercise. Trusteeship maintained the ideologies of development and civilisation that were entrenched in the mandate system and that had acted as a justification for colonial rule. The

trusteeship system existed in order to continue the transformation from colonialism as a direct system of control to the discourse of development that accompanied trusteeship and acted as a less explicit way of managing the behaviour of colonial territories (Rajagopal, 2003: 71). Within the United Nations, rather than emphasising an ultimate goal of independence for these territories, the Charter focused always on the issue of global security as of paramount importance (Haas, 2009: 9). The encouragement of specific behaviour by 'advanced' nations was framed in terms of preparing dependent territories for engagement in a global system and minimising the potential for international aggression, as opposed to preparing these territories for independence as a form of justice for their subjection to colonial domination. In light of this, how is it possible to suggest that the United Nations is based on any notion of equality when the right of particular states to rule over other territories is written into the Charter?

The archival data used throughout this chapter reveals this problematic ideological framing of particular nations as 'civilised' and other nations as 'uncivilised', particularly by British representatives such as Lord Cranborne. The data reveals the belief in Western supremacy born out of colonialism that underpinned the structuring of the United Nations in terms of Trusteeship, whilst also further doing the work of de-silencing anti-colonial histories in terms of revealing the Soviet objections to this framework. The archival data de-silences both the colonial history of the United Nations in terms of its structural development and the anti-colonial resistance to these structures. Both of these aspects have been absent from standard histories of the United Nations and are not reflected in the organisation's ability to frame itself as an institution committed to equality and rights (Patil, 2008).

This chapter has shown that despite the United Nations Trusteeship Council officially suspending operation in 1994, the overwhelming influence of colonialism in the formative stages of the United Nations and the continued reliance on international law and sovereignty as universally applicable frameworks means that the inequalities of colonialism are reproduced even in contemporary contexts (Patil, 2008: 44). For the purposes of this thesis, these ideas around sovereignty and civilisation have a significant impact upon contemporary debates around responsibility, intervention and protection.

It is important to recognise and question in this context the way in which an ideology which began in Europe came to be universally applicable to all parts of the world, including those with significant differences in terms of culture and political organisation. Despite stark cultural, political and economic differences between Europe, Africa and Asia for example, the idea of sovereignty comes to be understood as universally applicable to all of these territories through the institution of international law (Anghie, 2001: 516). However, once we accept that sovereignty is a concept with a historical and political agenda, it calls into question the neutrality of the institutions that have sovereignty as their fundamental principle. As the United Nations is an institution reliant on international law for its legitimacy and that claims to be fundamentally based on the sovereign equality of all its members, this is called into question if we understand the concept of sovereignty to be inherently colonial due to its European history.

## Chapter 6: Practical Politics and the Security Council

‘When the Five were united, there were almost no limits to what they could do. But if one of the Five dissented, it appeared that the council could be paralyzed’ (Bosco, 2009: 35).

### Introduction

The focus of this chapter is the United Nations Security Council, which, under Article 24 of the Charter of the United Nations has ‘...primary responsibility for the maintenance of international peace and security...’ (United Nations, 1945). The Security Council is therefore the key body in decision making around intervention and as such it is necessary to understand how it came into existence and the powers held by its members when thinking about issues of global political power. The institutionalised privilege of the powerful is exceptional in the case of the United Nations when compared with other international organisations (Krisch, 2008:135). The deliberate decisions made around the structure of the Security Council from its conception allow for the selective enforcement of policies related to intervention, and rather than enforcing the principles of sovereign equality that were outlined in the Charter, the Security Council allows for decisions to be made based on the privileged political interests of the world’s most powerful nations.

What follows is an outline of the development of the Security Council, including some archival material from the United Nations Conference on International Organisation at San Francisco, as well as documents that were generated following the earlier meetings of the major powers at Dumbarton Oaks. The argument running through this chapter is that the

structure of the Security Council as it was established at Dumbarton Oaks and San Francisco is what underpins the United Nations' ability to continue to implement policy selectively in contemporary contexts. Following the methodological approach of reading through history that was detailed in Chapter 3, this chapter will provide the basis for understanding the developments in United Nations policy that will be detailed in Chapter 7.

Ultimately, this chapter will demonstrate the ways in which the Security Council is the key site of postcolonial privilege within the United Nations. Building upon the theoretical approaches of the Part One of the thesis, this chapter will argue that the Security Council engages in neocolonial practices and will use archival evidence to illustrate how the major powers ensured that the United Nations would be an organisation that preserved the unequal global order established through colonialism.

### **Power Politics at Dumbarton Oaks and San Francisco**

As outlined in Chapter 1, the Dumbarton Oaks Conference, more formally known as the Washington Conversations on International Peace and Security Organization, took place between 21<sup>st</sup> August and 7<sup>th</sup> October 1944. The conference consisted of representatives from the United Kingdom, the United States, the Soviet Union and China. Following on from the earlier international conferences towards the end of the Second World War, the aim of the Dumbarton Oaks conference was to formally propose an international organisation that would prevent the outbreak of another World War, learning from the lessons of the League of Nations which had failed to do so (Hanhimäki, 2008: 12). The League of Nations had been deemed a failure publically and internationally as a result of the Second World War, and so these key players in the international community had begun work on a new organisation as a replacement. This section will

outline some of the power politics at play in the initial stages of the United Nations' development, particularly in relation to the Security Council and its five permanent members, largely based on the work of historian Robert C. Hilderbrand who has written extensively about this in his 1990 book *Dumbarton Oaks: The Origins of the United Nations and the Search for Postwar Security*.

The overwhelming failure of the League of Nations had been attributed in no small part to the absence of two of the greatest powers of the world at that time: the United States and the Soviet Union. As Hilderbrand argues, their involvement was deemed essential in order to address the failures of the League and for a new organisation to succeed (1990: 92). Where the League of Nations had been selective in its membership, this new organisation was imagined to be much more inclusive and aimed to unite a larger number of the governments of the world, but more specifically to unite the most powerful. From the perspective of the United States itself however, this involvement in a new international organisation was also part of a broader political campaign. President Roosevelt saw this as an opportunity to justify United States involvement in the Second World War, framing it as a longer-term project to contribute to the maintenance of international peace and security (Hilderbrand, 1990: 5). For the United States, a new international organisation would justify to the public their contribution to the war by framing it as the beginning of a united international attempt to bring about world peace. Already it is clear that the involvement of particular states in the creation of the United Nations did not simply stem from a desire to create a better world. Rather, the involvement of the major powers of the United Nations was also politically motivated.

It is worth noting at this point the complexities of framing the Security Council in terms of postcolonial privilege and neocolonial power. The inclusion of the Soviet Union and China within this understanding of the United Nations – and the Security Council more specifically – seems somewhat contradictory. However, the purpose of this chapter is not to account for the full nature of the Security Council in postcolonial terms, but to argue that colonialism was key to the formation of the United Nations as an institution. Whilst the inclusion of powers that were encouraging of decolonisation might seem to suggest that the United Nations was abandoning colonialism as a global structure, as will be discussed in further detail, the inclusion of France was a British assertion in order to maintain support for empire (Hilderbrand, 1990: 40). Thus, whilst the Soviet Union and China cannot be viewed as imperial powers in the same sense as Britain or France, they are nonetheless a part of an institution that has its roots in colonialism. Understanding their role in terms of the western-centricity of the United Nations is an undoubtedly complex that does require further consideration, but this goes beyond the scope of the argument being presented here and does not distract from their role in an organisation born out of colonialism.

Each of the governments invited to take part at the meetings at Dumbarton Oaks brought with them proposals for an international organisation and these were debated over the course of the conference. These discussions eventually resulted in the ‘Dumbarton Oaks Documents on International Organization’ that would be taken to the San Francisco conference in 1945 and would form the basis of the Charter of the United Nations. This conference and the resulting documents show the ways in which the privilege of the world’s most powerful nations was built into the United Nations from the outset, particularly in relation to the Security Council and the ways in which the organisation was imagined to deal with

future international conflicts. For the purposes of this section, the focus will be on the discussions around the structure and the role of the Security Council.

Whilst preliminary discussions on the development of an international organisation prior to Dumbarton Oaks had largely been between Britain, the United States and the Soviet Union, the United Nations Security Council eventually came to be dominated – and still is dominated – by five permanent members, with the additions of France and China. This permanent membership within the Security Council not only confirms the status of these nations as great powers, but in the case of France in particular, the symbolism of permanent membership may have granted great power status (Krisch, 2008: 136). The perceived status and privilege of these nations was now to be institutionalised in the form of the Security Council. Their role as permanent members simultaneously cemented their power and legitimated it through framing these five states as the key players in maintaining international peace and security. Although not present at the Dumbarton Oaks conference, France was given a key role in the new organisation at the insistence of the British government.

According to Hilderbrand, regardless of their perceived shortcomings during the Second World War, Winston Churchill insisted that France be given a permanent seat on the Security Council amidst fears that Britain would otherwise face the power of the Soviet Union alone, or else rely on the support of the United States which was not always guaranteed (1990: 40). Churchill believed that France would provide Britain with the support required to stand up to two of the world's most powerful states to emerge after the First World War.

The permanent membership of China was also a strategic decision, however in this instance on the part of the United States. As Hilderbrand's

account states, whilst China was not at the time considered to be a global power on the same scale as the United States, the Soviet Union or the United Kingdom, their involvement was deemed to be essential by the United States, whose own involvement was essential for the organisation to work at all (1990: 41). In the British government's view, the inclusion of China in the plans for an international organisation was a political initiative on the part of President Roosevelt, with plans to guide China to a position where it would be strong enough to police Asia, but weak enough to still rely on the United States (Hilderbrand, 1990: 59). The United States wished to give China the international status that would enable them to control the rest of the Asian continent, whilst also creating a strong relationship between China and the United States. Even the inclusion of particular states as permanent members of the Security Council, and therefore as key players in the international organisation more generally, were strategic decisions based on the political interests of the United Kingdom and the United States with aims to support decisions that may be challenged by the other permanent members.

Unlike France, representatives from China were present at Dumbarton Oaks, although not at the same time as the Soviet Union. Although Chinese representatives took part in discussions at Dumbarton Oaks, Hilderbrand argues that the talks between British, American and Chinese representatives that took place in the later days of the conference were to a large degree ceremonial, as the majority of the significant decisions had been made during talks with the Soviet Union (1990: 229). Even initial decisions about which countries should form the leadership of this new international organisation were therefore built around political relationships and ensuring that the interests of the Russians, the Americans and the British would be prioritised at all times. These five nations would become permanent members on the Security Council, dominating

decisions around international intervention and holding primary responsibility for the maintenance of international peace and security. It is no surprise therefore that the attitude of the sponsoring governments was very much that the United Nations as an organisation was theirs and that it would preserve a world order that they would be the main beneficiaries of (Goodwin, 1971:46).

The resulting documents of the Dumbarton Oaks conference formed the basis for discussions at the San Francisco conference between April and June of 1945 where the Charter of the United Nations was signed, and it is worth emphasising here some of the key opening statements. The proposals were drafted and made public by the United States representatives in the interests of enabling full discussion by the people of the United States prior to the San Francisco conference (United States, 1944: 1). These proposals state that the purpose of the new international organisation – from here on referred to as the United Nations – was ‘To maintain international peace and security; and to that end to take collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression...’ (United States, 1944: 8). The proposals go on to state that in order to achieve this primary purpose, the United Nations would be ‘...based on the principle of the sovereign equality of all peace-loving states’ (United States, 1944: 8).

As noted in previous and subsequent chapters, the United Nations was to be framed as an international body for collective action, based on the fundamental equality of all its members. However, this principle of equality already appears to be in conflict both with the structure of the organisation and the very fact that the proposals upon which it was based were determined by a small number of states whose power and status was privileged above all others. Even when we consider the larger conference

at San Francisco, forty-five nations in total were invited to attend including nineteen from the Americas and the Caribbean, seven from Asia and the Middle East and ten from Europe and only three from Africa, which was largely still colonised (Bosco, 2009: 32). Despite claims to inclusivity and equality, this new organisation failed to address the issue of colonialism, and indeed, those participating at Dumbarton Oaks had claimed to be 'not ready' to discuss colonialism at this point (Gilchrist, 1945: 983). Claims of inclusivity and internationalism therefore seemed only to apply to particular countries that fitted traditional understandings of sovereignty and colonised nations were not considered significant in proposals for a global organisation. If the United Nations was to be dominated by those present at the Dumbarton Oaks conference, how could it be based on any notion of equality? This contradiction becomes even more apparent when we look at the decisions made around the structure of the Security Council and the powers that would be afforded to its members.

### **United Nations Security Council: Structure, Veto and Selectivity**

As alluded to in earlier chapters, the structure of the Security Council and the privileges afforded to its five permanent members are of particular significance for the arguments being discussed throughout this thesis, and especially for the arguments of the final chapter. The Security Council is dominated by the major powers as a result of their permanent membership and their associated power of veto, which allows them to act selectively in responding to international crises (Roberts and Zaum, 2008: 13). In order to understand the degree to which this is possible and the structures that allow for the selective enforcement of policy within the Security Council, it is first necessary to detail this structure and how it came

into being. This section will therefore examine the decisions that were made at Dumbarton Oaks in order to institutionalise the privilege of the world's most powerful nations.

The Dumbarton Oaks proposals state that with regards to its composition:

'The Security Council should consist of one representative of each of eleven members of the organization. Representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the Republic of China, and, in due course, France, should have permanent seats. The General Assembly should elect six states to fill the non-permanent seats. These six states should be elected for a term of two years, three retiring each year' (United States, 1944: 12).

The Security Council was to be made up of a combination of permanent and non-permanent members, with non-permanent members rotating to give more member states the opportunity to participate in Security Council decision making. This proposed structure was agreed in the Charter and remained in place until reforms in 1965, which saw the non-permanent members of the Security Council increase from six to ten, although no reforms were made in terms of permanent membership (Krisch, 2008: 136). Although the inclusion of four additional non-permanent members could be seen as an attempt to increase representativeness and balance, this reform did little to address concerns around permanent membership. The Security Council, which has always been viewed as the key body of the United Nations in terms of addressing threats to peace and security, was therefore dominated by powerful nations from the outset and no reforms since 1945 have effectively addressed this issue. This in itself suggests an unwillingness to adapt the United Nations to more adequately reflect the

contemporary world, instead maintaining a structure that legitimises the power of those who dominated global politics at the end of the Second World War.

At Dumbarton Oaks the privilege to be afforded to the permanent members of the Security Council was central, with decisions around its structure dominating discussions and plans for the organisation that would become the United Nations. The sponsoring nations wished to create a structure within which they were free and able to respond to any possible threats in a manner of their choosing, without having an obligation to respond to threats of lesser importance to them (Luck, 2008: 63). They wanted to have the ability to respond to any type of international conflict peacefully or militarily where necessary, without being dragged into disputes between smaller states that they deemed unworthy of their attention. The Soviet Union in particular wanted to create a structure whereby the Security Council, and by extension, the five permanent members, would dominate international peacekeeping in order to avoid the problems of inefficiency seen in the League of Nations (Hilderbrand, 1990: 110).

Where the League of Nations had frequently been prevented from taking action due to disagreements between states in the assembly, peacekeeping in the United Nations was to be controlled by a smaller number of states in the hope that agreement would be more likely. By appointing themselves as permanent members of the Security Council with particular privileges, the sponsoring nations designed a structure within which they could dominate decisions on intervention and military action without any real sense of accountability (Luck, 2008: 63). Whilst their position would enable them to act, it would not force them to act. This permanent membership afforded to the United Kingdom, the United

States, the Soviet Union, China and France was based on the recognition of their distinct role in the maintenance of international peace (Thakur, 2006: 48). Although the United Nations was framed as an international organisation, based on principles of equality, this permanent membership of the Security Council cemented the status of the major powers as more important in the maintenance of peace than any other states. It is vital that we remember that this leadership role was self-appointed and the purpose of examining this here is to emphasise the likelihood that this structure was designed to preserve a particular global political hierarchy.

The self-appointment of permanent membership reinforces the view that these particular nations were, and continue to be, the most advanced nations in the world and encourages a eurocentric ideology of civilisation. The role of the major powers in the Security Council simultaneously identifies them as the most advanced nations and legitimates their position in the global political hierarchy. Their permanent position as guardians of international peace and security cements their position as the paternalistic educators as discussed in Patil's notion of kinship politics (2008: 95). The role of the permanent five members of the Security Council as the ultimate decision making body in terms of intervention preserves the relationship between particular nations that was established through colonialism. In the face of mounting pressure to decolonise the world, these nations ensured that this new organisation would cement their position as responsible educators with the duty of maintaining peace internationally and intervening in conflicts within and between what they deemed less developed nations. The structure of the Security Council is therefore an example of what Patil terms 'the softer kinship politics of colonial rule' (2008: 96).

Claims to sovereign equality made throughout the governing documents of the United Nations are therefore heavily undermined by the very structure of the Security Council and its development as a key body within the United Nations as an institution. Permanent membership for particular states seems to be a fairly clear example of this. Although the initial plans for the Security Council included six non-permanent members on rotation, and despite the fact that this has been increased to ten, the ultimate authority lies with the globally powerful and their sovereignty is protected and privileged above all else, on the understanding that they are the natural leaders of a world organisation due to their advanced position on the linear path of progress and development (Patil, 2008: 42). It is clear then, that although the United Nations claims to be an international organisation based on sovereign equality, there is still a sharp hierarchical distinction in terms of which nations' sovereignty is most valid and legitimate. The power differential seen in the structure of the Security Council is of strong significance due to the procedural powers afforded to this body of the United Nations. The Security Council is able to invoke sanctions, apply military action and make recommendations for the next Secretary-General amongst other things (Kuziemko and Werker, 2006: 4). As such, the permanent members do not only dominate the Security Council, but by extension the United Nations as a whole.

Although permanent membership is clearly an issue in terms of maintaining a hierarchical ordering of the world, what matters are the implications of this permanent membership and the powers it affords to particular states. The following chapter will look at selectivity in terms of intervention in order to illustrate the significance of permanent membership within the Security Council. Here, it is necessary to outline the underlying structures that have been established in order to allow for selectivity. The key aspect with regards to the dominance of the

permanent members of the Security Council and the powers afforded to them is the principle of unanimity between the permanent members and their ability to veto. This issue was one that threatened the very establishment United Nations as an organisation, as Chapter 1 briefly touched upon.

The Charter of the United Nations states in Article 27 that decisions on non-procedural matters within the Security Council

‘...shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting’ (United Nations, 1945).

According to the Charter, decisions on issues of security must have the unanimous support of the five permanent members in order to pass and these five members have the power to veto decisions and prevent a resolution from being adopted, provided that they are not directly involved in the dispute. Permanent members therefore have the ability to prevent action in international conflicts as part of their privileged status as international peacekeepers. In order for the United Nations as an organisation to authorise the use of force, it is necessary that Britain, France, the United States, China and Russia (formerly the Soviet Union) agree that action is both justified and necessary.

The principle of abstention if a member is directly involved in a dispute is what had caused disagreement between government representatives present at Dumbarton Oaks. Indeed, the proposals put forward in October 1944 state in *Section C. Voting*: ‘the question of voting procedure in the Security Council is still under consideration’ (United States, 1944: 13).

Whilst the discussions at Dumbarton Oaks had resolved the majority of issues around the structure of the Security Council, the rules around voting procedure were unable to be resolved until the conference at San Francisco. The Soviet Union did not agree with British and American delegations that decisions around conflicts involving the major powers directly should not be voted on, and therefore not vetoed, by those involved (Hilderbrand, 1990: 110). The aim here was to prevent a situation whereby the United Nations could intervene in the affairs of the major powers. The Soviet Union wanted to be able to prevent Security Council intervention when their own interests were directly at stake. This dispute over the power of veto, which threatened to ruin any chance of building a new international organisation, reflected a growing level of suspicion between the Soviet Union and the loose alliance between the United Kingdom and the United States, which would eventually escalate into the Cold War (Hilderbrand, 1990: 212).

It was not only the major powers that were concerned about the use of veto within the Security Council. Throughout the conference at San Francisco, the Australian delegation raised concerns around the proposed power of veto within the Security Council. Dr Evatt, Australia's Minister of External Affairs at the time, proved to be a firm and vocal opponent of the great power privilege that was being written into the structure of the United Nations (Fox, 1946: 122). At the ninth meeting of committee three, which was tasked with determining the structure and procedure of the Security Council, Dr Evatt remarked

'It seems to me to be clear that although all the parties want the Security Council to act, to make recommendations, and ten out of eleven members of the Council wish the Council to act, yet one power can say, "No, we are

not going to do it.” Such a situation is preposterous. No one could suggest any reason under such circumstances why the Security Council in such a case should be prevented from acting by the vote of one power’ (Remarks of Delegate of Australia at Ninth Meeting of Committee III/1, May 17<sup>th</sup> 1945).

Australian representatives at San Francisco argued that the principle of veto and the ability of any one of the major powers to prevent action even where all other members were in agreement, showed that the Security Council and the United Nations more broadly, had been designed in the exclusive interests of those permanent five members of the Council (Bosco, 2009: 36). The New Zealand delegation also commented upon the ‘inadequate position’ of smaller powers within the proposed plans for the Security Council and argued that *collective* security would not be possible if the permanent five members had the power to veto decisions (Summary Report of Fourth Meeting of Committee III/3, May 10<sup>th</sup> 1945).

If the question of decision making and the power of veto had been contentious at Dumbarton Oaks, it was even more so at San Francisco, with various delegations representing smaller powers suggesting amendments to the proposals from Dumbarton Oaks and Yalta. Representatives from Columbia argued that the voting procedure proposed by the sponsoring governments at Dumbarton Oaks ‘...would put the question of peace or war in the hands of any one of the five powers’ (Summary Report of 19<sup>th</sup> Meeting of Committee III/1, June 12<sup>th</sup> 1945). The Columbian delegation had already stated however that they were willing to support the power of veto on the provision that the autonomy of regional arrangements such as those applying to Latin America would be increased (Address by Minister of Foreign Affairs of Columbia at the Fifth Plenary Session, April 30<sup>th</sup> 1945). Indeed, despite the twenty Latin American states represented at San

Francisco not agreeing on all issues during the conference, they maintained a united front when discussing regional defence arrangements and were supported in this by the League of Arab States (Fox, 1946: 122).

Although this structure that privileged the interests of the permanent members of the Security Council did not go unchallenged by less powerful states at the San Francisco conference, particularly by those middle powers mentioned, the ability to veto decision making was put forward as a necessary feature of the Security Council for the permanent members, and thus a necessary feature for the United Nations as a whole to exist. In spite of concerns raised by smaller states about the dominance of a minority, the cooperation of these powerful states was essential for the functioning of an international organisation. The sponsoring governments attempted to suppress these concerns with reference to notions of 'responsibility' rather than power. For example, at the sixth meeting of Committee Three, a representative for the Chinese delegation was reported to have made the following comments:

'On the question of the requirement for unanimity of the permanent members to make a vote in the Security Council effective on enforcement action, he explained it meant that there was a greater responsibility placed on their shoulders in the arrest of aggression and in the maintenance of international peace and security. It was an important provision. He again recalled the failures of the League wherein the permanent member states had no greater responsibility than other states in this vital aspect, and pleaded for giving the new world Organization a chance' (Corrigendum to Summary Report of Sixth Meeting of Committee III/3, May 14<sup>th</sup> 1945).

As seen in the remarks made by the Chinese delegate here, the major powers frequently argued that their permanent membership was not a

privilege but rather a burden. It was their responsibility or duty to ensure the success of this new organisation following the breakdown of the League of Nations and to ultimately ensure that the world was a safer place.

This framing of the permanent five's power as responsibility was reiterated throughout the conference, largely in response to concerns made by representatives of middle powers such as Australia. Senator Connally of the United States delegation made a statement that also expressed a similar sentiment:

'...the responsibility of the Five Permanent Members of the Security Council is momentous; it is tremendous. It may have the effect of shaking the very foundations of the earth, and I cannot conceive of anyone of the Great Powers that shall be a member of the Security Council considering lightly of that responsibility. It is our theory that they will be sensible in that sense of responsibility and that they will discharge the duties of their office not as representatives of their governments, not as representatives of their own ambitions or their own interests, but as representatives of the whole Organization in behalf of world peace and in behalf of world security' (Remarks by Senator Connally, Delegate of the United States, at the Meeting of Commission III, June 20<sup>th</sup> 1945).

Again, the power of the permanent members of the Security Council is framed as a responsibility that they are undertaking on behalf of the rest of the world.

This framing of great power privilege as responsibility rather than dominance is significant for the debates that will be explored in Chapter 7 around the Responsibility to Protect. It is also however strongly connected

to ideas around sovereignty that have been significant in the previous discussions of this thesis, whereby the concept of sovereignty within international law reinforces a particular understanding of what it means to be modern and civilised, creating a linear understanding of progress. To frame the relationship between great powers and small powers within the United Nations as one of responsibility reproduces what Anghie terms the 'dynamic of difference', which allows one culture to be framed as universal and civilised and one as particular and uncivilized, with international law providing and legitimating mechanisms that will enable the teaching of civilisation to the uncivilised (Anghie, 2005: 4). Difference becomes understood through the concept of development, with those nations who are deemed more advanced adopting the role or responsibility of teaching other nations how to progress.

Within the context of the Security Council, these ideas of difference as part of a continuum of development from uncivilised to civilised encourage an understanding of the permanent members as educators and responsible paternal figures, reinforcing their privilege and legitimating their dominance. The framing of the permanent members as having a distinct responsibility for all other members of the organisation allows for their decision making to be legitimated as in the interests of international peace and security, when they may in fact be acting less nobly in their own national interest. The fact that this notion of responsibility, and hence difference, is built into the structure of the United Nations via the Security Council highlights one of the ways in which the inequalities of formal colonialism are reproduced within international institutions (Anghie, 2005: 199). This institutionalisation of the privilege of the world's most powerful and former imperial masters within the Security Council allows for the continuation of the domination characteristic of formal colonialism. The Security Council is the foremost site of postcolonial privilege within the

United Nations, where colonial dominance is institutionalised to the extent that even after decolonisation, former colonisers are able to maintain their dominance in global affairs (Krisch, 2008: 135).

The power of veto within Security Council decision making is also the most influential structure in allowing for the issue of selectivity that is key for the arguments of this thesis and will be discussed further in the following chapter. The great power unanimity required for the Security Council to pass and adopt a resolution means that powerful states are able to prevent action in situations where their interests are not being met, and hence the great powers have the ability to be selective about which conflicts require an international solution (Roberts and Zaum, 2008: 12). Their ability to frame their power within the Security Council not as power but as responsibility legitimates their decision making as acting in the interests of humanity, where in reality, the major powers have the capacity to act in their own interests and prevent action that would have negative consequences for their individual political relationships (Murray, 2012: 73).

The Cold War period is a prime example of this selectivity in action, highlighting the extent to which the permanent five members of the Security Council dominate international peacekeeping and make decisions that prioritise their own interests. Throughout the Cold War period, the Security Council was prevented from adopting resolutions on 212 occasions, largely as a result of the Soviet Union's use of the veto (Weiss, 2012: 42). The East-West conflict saw the Soviet Union and the United States use the Security Council as a tool of conflict, preventing effective action in cases of international conflict in line with their own political interests. This power of veto therefore inherently provides the major powers with the ability and the right to act selectively in terms of threats to international peace and security (Roberts and Zaum, 2008: 12). Those

states that did not make up the permanent members of the Security Council, such as Australia and the Latin American states, recognised that the proposals from Dumbarton Oaks would allow the major powers to act selectively and in any manner they saw appropriate. However, this right of selectivity was deliberately written into the Charter and proposals made at San Francisco to include detailed definitions of situations that would constitute threats to international peace and security, largely as an attempt to restrict the powers of the permanent five members of the Council, were unsuccessful (Roberts and Zaum, 2008: 13).

The selectivity of the Security Council with regards to the application of policy, particularly around intervention in situations of international conflict, highlights the fact that fundamentally, the Security Council is not an impartial judicial body, but an intensely political one (Roberts and Zaum, 2008: 20). The ability of the major powers to act selectively therefore undermines the principles of sovereign equality outlined in the Dumbarton Oaks proposals and in the Charter itself. Despite claims that the United Nations is based upon the sovereign *equality* of all its members, the institutionalisation of great power privilege is such that the United States, the United Kingdom, France, Russia and China have the ability to prevent action to address threats to international peace and security should they so wish, a capability that has been utilised at numerous points in the United Nations' history.

This section has outlined the structure of the Security Council and how this structure came to be, following intense debate at the San Francisco conference. The quotes taken from archival documents from the San Francisco conference are again doing the work of de-silencing the anti-colonial resistance present at the conference, challenging the standard narratives of the development of the United Nations and revealing the

extent to which the United Nations was from its very beginnings designed to be dominated by the major powers and to institutionalise their privilege (Krisch, 2008: 135). The archival data shows that the conference at San Francisco was a site of struggle not of cooperation, particularly with regards to the Security Council and its structure, which was viewed by anti-colonial states to have been designed exclusively in the interests of the major powers (Bosco, 2009: 36). Beginning to unpick the issue of responsibility as a key concept within the structural organisation of the United Nations, it has been argued here that the Security Council is a key space within which the postcolonial privilege of the major powers has been institutionalised and left largely unchanged since 1945. This continuous framing of power as responsibility reinforces the problematic ideology of civilisation that has been a key focus of this thesis. It reinforces the relationship between the permanent five members of the Security Council and the rest of the world in terms of Patil's (2008) 'kinship politics,' whereby former colonisers are able to maintain their dominance through a discourse of development that sees them as educators of progress. The fact that this position of power is accompanied by the ability to prevent action in international conflicts provides these states with the ability to act in accordance with their own political interests and is therefore a significant form of postcolonial power in a formally decolonised world.

### **Sovereignty and the Security Council**

The notion of sovereignty as discussed in detail in the previous chapter is of prime importance within the context of the Security Council, particularly with regards to intervention. The Charter of the United Nations states in Article 1: 'Nothing contained within the present Charter shall authorize the United Nations to intervene in matters which are essentially within the

domestic jurisdiction of any state...’ (United Nations, 1945: 3). However, the process of Security Council intervention appears to be in contradiction with this, especially when we consider the role of the five permanent members of the Security Council in this decision making process. When members of the Security Council seek to intervene in the affairs of another country, breaching traditional understandings of sovereignty, hierarchical orders of power, interest and ideology affect the decision making process (Jones, 2013: 1153). The struggle in terms of sovereign equality in these contexts becomes one between smaller states and the world’s most powerful states, which is a struggle that it is impossible for smaller states to win. This section will look specifically at the role that the concept of sovereignty plays within the context of the Security Council, arguing that the Security Council’s respect for sovereignty is selective and based on hierarchical understandings of civilisation that prioritise the sovereignty of particular states over others. As Anghie (2005) argues, this is a result of the relationship between the concept of sovereignty and the process of colonialism.

Within the broader structure of the United Nations, all member states have the opportunity to participate in discussions as independent sovereigns. The General Assembly provides the space within which these discussions are able to happen (United Nations, 1945). However, what the structure of the Security Council requires is that smaller states relinquish their rights as sovereigns and allow decisions to be made on their behalf with regards to acts of aggression and subsequent interventions (military or otherwise). For the Security Council, the aim has never been equality in terms of representation, but rather unity and control in making decisions (Luck, 2008: 63). This surrender of sovereignty did not go unrecognised by those present at the birth of the organisation and concerns were raised around the role of the permanent members of the Security Council and the level of

power afforded to them by the structure of the organisation, as seen in the remarks made by the delegates of Australia and New Zealand in the previous section.

Concerns around this sacrifice were raised both at the conference in San Francisco as already discussed but this also continued throughout the early years of the organisation. After the ratification of the Charter at San Francisco in 1945, Dr Zuleta Angel of Colombia chaired the first plenary meeting of the General Assembly in 1946 and highlighted the issues around sovereignty in his opening statement:

‘The five great Powers which, by virtue of Articles 24 and 27 of the Charter, and by the very nature of things, will shoulder the chief responsibility for the maintenance of peace and security, will bring not only the immense power of their military, financial and industrial resources, but something more important, without which their very power would be nothing but the prelude to an unthinkable cataclysm; I mean good will, divested of every shred of intrigue or trickery, and that spirit of co-operation which is vital in order to maintain among them of good understanding upon which our whole Organization rests. In signing the Charter, the other Powers have already deposited as their first contribution to this great undertaking, a large part of that which they hold most dear and most precious, a large part, that is, of their sovereignty. They made this sacrifice with deep emotion, but without hesitation, in the belief that here was the beginning of a new era in which their security would be collectively guaranteed by adequate and effective means, and any aggression or attempt at aggression directed against them would be severely repressed’ (United Nations General Assembly, 1946: 38).

There was recognition then, that smaller member states of the United Nations were sacrificing their own sovereignty in order to support the structure of the organisation and the role of the Security Council as the sponsors envisaged it. As noted previously, without the Security Council on the terms outlined by the representatives at Dumbarton Oaks, there would be no United Nations at all (Bosco, 2009: 26). However, this recognition highlights once again, the way in which claims to sovereign equality made in the Charter were in contradiction with the very structure of the United Nations from the outset. For the organisation to exist, it was necessary for the sovereignty of some states to be privileged and the sovereignty of other states to be sacrificed.

The way in which this sacrifice of sovereignty is framed is also significant in that it is based on an understanding that the major powers are 'by the very nature of things' the most advanced nations and therefore the most qualified to shoulder the responsibility of maintaining international peace and security. Rather than understanding the structure of the Security Council as a reinforcement of hierarchical global positioning and the power of the permanent members as a new form of colonial management, even those smaller states that had highlighted concerns around the dominance of the major powers were part of the maintenance of a discourse of development and progress. The status, position and 'responsibility' of the major powers is naturalised and their role in the organisation is legitimated through an understanding of the world that equates cultural difference with the notion of development and civilisation. They are part of the maintenance of what Anghie terms the 'dynamic of difference' (2005: 4).

Arguably in an attempt to distract attention away from this issue of sovereign equality within the structures of the Security Council, the representatives at Dumbarton Oaks had also included proposals for a

General Assembly, which would provide a space for all member states to discuss issues of international cooperation. The General Assembly was to be made up of representatives from every member state, and should

‘...have the right to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments; to discuss any questions relating to the maintenance of international peace and security brought before it by any member or members of the Organization or by the Security Council; and to make recommendations with regard to any such principles or questions’ (United States, 1944: 10).

The General Assembly would be a space for each member state, large or small, to have their voice heard on general issues to be considered by the United Nations. Crucially however, the proposals specified that the General Assembly did not have the right to make recommendations on its own initiative ‘...on any matter relating to the maintenance of international peace and security which is being dealt with by the Security Council’ (United States, 1944: 10). Whilst the General Assembly would form a space within which theoretically all member states could have their say on matters of international peace and security, once a conflict was being dealt with by the Security Council, the General Assembly was not permitted to make recommendations, and control over appropriate action was to remain in the hands of the major powers and their ability to veto. The General Assembly in this sense was designed to placate smaller nations, giving them a space within which to vent their opinions and to attempt to address the principle of sovereign equality (Hilderbrand, 1990: 108).

These initial contradictions in terms of sovereignty and sovereign equality, particularly in relation to the structures of the organisation and the

Security Council, allowed for the development of an organisation that rearticulated the power of the most powerful and set up structures that would later allow for a redefinition of ideas of sovereignty that legitimates this power further, as will be discussed in the next chapter. In more recent years, and particularly since the 1990s, the United Nations has arguably attempted to address issues of selectivity within the Security Council and details of these changes in policy over time will be outlined in the following chapter. In spite of this, the issues of power politics and the dominance of the permanent five members of the Security Council continue to result in the selective application of United Nations policy.

To return to the example that has been used throughout this thesis, in the recent context of the Middle East, very similar revolutionary uprisings in Libya and Syria have seen markedly different responses from the Security Council and both were met with concerns around major power interest in the implementation of policy. The intervention in Libya was not vetoed by any of the major powers but saw abstentions from Brazil, China, Germany, India and Russia, highlighting a growing concern from the global community about the implementation of interventionist policy (Mahdavi, 2012: 265). Although not wishing to directly prevent action in a situation of conflict, a significant number of members of the Security Council abstained from voting in favour of action, suggesting a discomfort with the approach the Security Council was taking in this particular scenario. In the Libyan context, questions were raised over the relationship between United Nations intervention based on notions of protection and the political goals of powerful states, namely regime change (Bellamy and Williams, 2011: 846). As Libya was still under the rule of a functioning government at the time of intervention, the international response was heavily criticised as being more concerned with the removal of the Gaddafi regime than with humanitarian aims of protection.

In contrast, despite a similar uprising in Syria, the interventionist response of the Security Council was not replicated. Despite attempts to address selectivity through the development of the Responsibility to Protect principle, the Security Council was unable to adopt a resolution for action in Syria, replicating the inconsistency of the 1990s seen in cases such as Rwanda and Kosovo (Mohamed, 2012: 225). On the surface, this suggests that within Security Council decision making, some crises are deemed worthy of intervention whilst others are not, and that this judgement is left in the hands of the major powers to decide. If we delve a little deeper than this however, these judgements appear to be based on the political interests and relationships between the permanent five members of the Security Council.

Action in Syria has been consistently prevented by the Russian government through the use of their power of veto, specifically citing the 'Western betrayal' over Libya as their justification (Rotmann et al, 2014: 368). The crisis in Syria has seen hundreds of thousands of people killed and millions displaced both inside and outside of Syria, but the Russian and Chinese governments have paralysed the Security Council through vetoes to resolutions (Weiss, 2014: 13). Clearly then, within the Security Council, humanitarian motives and the maintenance of international peace and security are not always underlying decisions around intervention and protection. The ICISS report on the Responsibility to Protect in 2001 even attempted to address this by stating that:

'The Permanent Five members of the Security Council should agree not to apply their veto power, in matters where their vital state interests are not involved, to obstruct the passage of resolutions authorizing military intervention for human

protection purposes for which there is otherwise majority support' (ICISS, 2001: xiii).

In spite of this clear warning that the permanent members of the Security Council should not exploit their right of veto, what we see in the case of Syria is the abuse of the privilege afforded to the five permanent members that was raised as a concern as far back as San Francisco.

However, whilst the combined desire of Russia and China to prevent action in Syria is undoubtedly influenced by their own political interests, it also reflects the political power conflicts between the world's most powerful nations. The use of veto by the Russian government in particular reflects a long-standing concern around Western-led military interventions (Allison, 2013: 795). Whilst the Security Council claims to be fundamentally supporting the aim of the United Nations, namely the maintenance of international peace and security, the fact is that the major powers act exclusively in their own interests when making decisions. The example used here is by no means the only occasion where selectivity has been an issue within the Security Council over the past seven decades; the major powers have been framing their own interests as global interests since the United Nations began. The fact that they are able to do so is a result of the deliberate and conscious structuring of the Security Council from the beginnings of the organisation at Dumbarton Oaks. As Luck argues, the Security Council remains today as it was from its beginnings 'undependable, unaccountable, and unrepresentative' (2008: 85).

## **Conclusion**

This chapter has questioned the role of the Security Council in relation to the United Nations' commitment to equality, particularly focusing on the fact that the Security Council is a key site where decisions are made and yet it is entirely dominated by a small number of states. The chapter has argued that this structuring of the Security Council allows for the selective enforcement of policy based on the privileged power of particular states and their ability to prevent action that does not conform to their political interests (Luck, 2008: 63).

This chapter has argued that the Security Council legitimates the power structures established through colonialism by institutionalising the power of the powerful and arguing that this is based on their 'special role and responsibility in underwriting world order and collective security' (Thakur, 2006: 48). Their status is naturalised and their privilege is framed as a burden of responsibility.

The Security Council's respect for sovereignty is selective in that intervention in the contemporary global context frequently represents a breach of the traditional understandings of sovereignty such as those established by the Charter whereby the United Nations does not have the right to intervene in domestic conflicts (United Nations, 1945). The next chapter will look in more detail at how this move towards interventionist policy has developed over time, but in this chapter the purpose has been to highlight the fact that permanent membership in the Security Council represents a prioritisation of the sovereignty of particular nations over others. This structure requires smaller states to relinquish their rights as sovereigns in allowing the permanent members, whose sovereignty is

always protected, to act on their behalf (United Nations General Assembly, 1946: 38).

This chapter has therefore ascertained that the Security Council is the key site of postcolonial privilege within the United Nations. The power of the United Kingdom, the United States, France, Russia and China has been institutionalised and this structure allows for the selective enforcement of policy that amounts to the ability of these powers to intervene only in situations where their own political interests will be met. The conversations at Dumbarton Oaks and San Francisco ensured that the United Nations would be an organisation that preserved the global order established by colonialism through institutionalising their privilege via the Security Council. As Mazower argues,

‘It was to be a device for cushioning the British Empire, cementing its ties with the United States, and coming to terms with the unfortunate but tolerable fact that the Soviet Union had become a world power. By keeping the peace, it would preserve the global hegemony of Europe and its successor states’ (2009: 104).

The effects of this institutionalisation of power continue to be felt in contemporary conflicts, through the implementation of neocolonial policies on intervention, as will be seen in the following chapter.

## **Chapter 7: From Non-Intervention to R2P**

‘It is this sum total of these modern attempts to perpetuate colonialism while at the same time talking about “freedom”, which has come to be known as neo-colonialism’ (Nkrumah, 1965: 239).

### **Introduction**

The purpose of this final chapter is to make the connection between contemporary debates surrounding the United Nations and its history that has been the focus of this thesis thus far. Focusing on the Responsibility to Protect policy of the United Nations that governs the organisation’s behaviour in terms of intervention, this chapter will trace the historical development of this policy, starting with the United Nations’ initial commitment to non-intervention. Ultimately, this chapter will provide an example of the significance of an accurate understanding of history in dealing with contemporary issues. It will show that the United Nations’ selective enforcement of the Responsibility to Protect principle is underpinned by its colonial history and the institutionalisation of great power privilege from its very beginnings. In order to bring together the theoretical approach that was established in the first half of the thesis with a concrete example of how this theory applies to the real, day-to-day practices of the United Nations, intervention will be the focus.

The chapter will begin with an examination of the United Nations’ initial commitment to non-intervention in the affairs of other countries, whereby member states were recognised as independent sovereigns within an international community (Roberts, 1993: 434. This commitment to non-intervention will be discussed here in terms of its particular significance to

those member states that were formerly colonised and to those states that remained under the trusteeship system of the United Nations and had independence as their end goal (Roberts, 1993: 434). The chapter will then move on to detail the continued development in United Nations policy with regards to intervention that has seen a move from the right of states to non-intervention to a responsibility of states to intervene and protect since the signing of the Charter in 1945.

The sixty years between the signing of the Charter of the United Nations and the agreement on the principle of Responsibility to Protect at the World Summit of 2005 have seen distinct periods of development in terms of approaches to intervention, which will be examined in some detail here. Beginning with the significance of non-intervention post World War 2, then moving on to look at how the United Nations was affected by disputes between the superpowers during the Cold War, followed by an examination of the rise of humanitarian intervention particularly during the 1990s and the ICISS report on Responsibility to Protect that followed in 2001, this chapter will investigate the development of the idea of responsibility within United Nations policy, bearing in mind the previous chapters that have discussed issues of power and inequality from the institution's establishment.

Whilst this development of United Nations policy is often framed in terms of a humanitarian response to atrocities, here it will be argued that policies within the United Nations and their application to real life scenarios are always heavily influenced by issues of global political power, and that in this particular instance, the notion of 'responsibility' is used in order to mask particular political interests and strategies. This chapter brings together the argument running throughout the thesis that the process of decolonisation and the eventual disbanding of the trusteeship system in

1994 resulted in the need for new forms of control and domination, and that this was done under the guise of the notion of responsibility that sprung from discourses of development and civilisation that were established through colonialism. Rather than existing as a genuine concern for the suffering of individuals, it will be argued that the concept of responsibility within this context functions as a neocolonial technology of power to ensure the continuation of ideas around civilisation and development that maintain the existing – unequal – global order.

### **Non-Intervention After the Second World War**

To reiterate what has been previously outlined, the preamble of the Charter of the United Nations states that in signing the Charter, member states agreed

‘to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest...’ (United Nations, 1945: 2).

The Charter, signed following the end of the Second World War, was therefore designed to deal with wars between states rather than wars within states; it was designed to deal with international rather than domestic conflicts (Doyle and Sambanis, 2006: 11). With the sovereignty of states as a fundamental principle, the United Nations was designed to mediate relationships between individual states to maintain international peace and security, not to deal with internal conflicts within a sovereign state. Following on from its predecessor the League of Nations, the wording of the preamble strongly infers that the United Nations was

designed as a grouping of independent states in agreement to reduce the use of military force in order to prevent conflict on the scale of the First and Second World Wars. Indeed, as quoted in the previous chapter, Article 2 of the Charter deals with the use of force by member states and dictates that, with regard to intervention:

‘Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter...’ (United Nations, 1945).

The Charter sets out the aims of the United Nations not as a world government, but as an organisation designed to encourage international cooperation without interference in domestic matters.

The United Nations in this sense was designed as a Westphalian system of peacekeeping, whereby independent sovereign states were obliged to obey a particular set of rules of behaviour with regards to international relations and as such, conflict would in theory only arise when states disobeyed the rules and acted aggressively towards each other (MacQueen, 2011: 14). Conflicts within states were therefore not initially imagined to be within the realms of United Nations peacekeeping and the right of those states recognised as sovereigns to manage their own domestic affairs was of the utmost importance. Although the United Nations’ claims to universality and equality have already been questioned in terms of the very structure of the organisation, it aimed to present itself as universalist where the League of Nations had been criticised for being imperialist and the principle of non-intervention was fundamental in doing so. The principle of non-intervention in this context was not based on justice or moral grounds, but on maintaining order, providing clear rules

for limiting the use of force and reducing the risk of military conflict (Roberts, 1993: 434). In order for this new international organisation to function efficiently, it was considered necessary to provide clear guidelines on respecting the sovereignty of individual states and non-intervention was the way to do so.

The United Nations Security Council has historically been respectful of this foundational principle of non-intervention, and has privileged this over the right of individuals not to be killed (Bellamy, 2011:3). Although this has been questioned in the earlier chapters of this thesis, the United Nations was in theory essentially based on the sovereign equality of all its members, and as such, non-intervention was the logical resulting principle for governing relations between states, or 'the other side of the Westphalian coin' (Weiss, 2012: 21). If the United Nations was based on the equal right of all member states to maintain sovereign authority over their territory, this right had to be supported by the inability of any state to intervene in the affairs of another. This principle of non-intervention was of particular significance for those countries joining the United Nations that were still or had previously been colonies of empire. In a time where the anti-colonial movement was gaining momentum and public attitudes had shifted in support of decolonisation, it was important to ensure that this new organisation would not support previous structures of domination. Indeed, the commitment to non-intervention and non-interference as outlined by the United Nations both at San Francisco and in the Charter was the reason for so many states agreeing to join in the first instance (Roberts, 1993: 434). An organisation that committed to the independence and sovereignty of each of its members seemed an attractive prospect to those countries that had suffered decades of exploitation and domination at the hands of their imperial masters.

For smaller, developing states, their commitment to membership of the United Nations was dependent upon a commitment by the world's most powerful states to respect their sovereignty and their right to rule within their own national borders (Mazower, 2009: 189). As previously noted, the sacrifice of sovereignty made by those smaller powers in the signing of the Charter and agreeing to the dominance of the five permanent members of the Security Council was frequently articulated, with representatives of those smaller powers stating that this was done on the understanding that the Security Council would guarantee collective security and the repression of acts of aggression (United Nations General Assembly, 1946: 38). Those states that had fought for independence were wary from the start however that whilst the promise of sovereign equality and formal independence was appealing, the United Nations had the capacity to become an arena for justifying postcolonial rule.

In later years, the principle of non-intervention continued to have a strong significance in debates around changing policies on intervention and how to deal with humanitarian emergencies. A number of largely ex-colonial states argued against developing norms of interventionist policy and maintained a fundamental commitment to non-intervention in the domestic affairs of other states as a governing approach (Mayall, 1991: 421). For formerly colonised states, the United Nations in theory provided the opportunity to be treated as equal sovereigns with colonisers and this principle of non-intervention formed the foundation for this relationship. Whilst still colonised these countries used the United Nations to fight against their imperial masters and to push for decolonisation, but once independent, these countries fought to keep the United Nations out of affairs which they understood to fall under their own domestic jurisdiction due to an increasing concern around the inequality of power between particular states in the global system (Mazower, 2009: 189). However, as

many of the governments of the ex-colonial states fighting for non-intervention were dictatorships, their public commitment to liberalism as the basis for non-intervention failed to convince the international community and as a result, the increasingly interventionist approach of the major powers were not inhibited (Mayall, 1991: 422). Whilst the Charter of the United Nations on the surface proclaimed non-intervention as an essential part of the organisation, the reality has increasingly distanced itself from this rhetoric.

### **Power Politics in the Cold War Period**

The Cold War period from the late 1940s to the late 1980s saw a move away from this initial commitment to non-intervention, although without moving as strongly towards the humanitarianism seen in the 1990s. International intervention by the United Nations during the Cold War period was based on a triumvirate of consent, neutrality and the use of force only in self-defence (MacQueen, 2011: 24). Intervention was to be authorised by state in question, based on restoring peace rather than supporting a particular party in the case of a civil conflict and intervening parties were not to use military action except where it was absolutely necessary in order to protect troops. This approach signified a move away from traditional forms of international peacekeeping and the principle of non-interference in domestic affairs as outlined in the Charter, but intervention remained heavily restricted and dependent upon the consent of states seen to be in need. The Carter administration in the United States (from 1977 – 1981) was particularly keen to avoid military interference, highlighting the responsibility of the United States to act in accordance with international law (Cohen, 2012: 10). The United Nations, although

perhaps only on the surface, remained reluctant to respond militarily to domestic disputes without the approval the state concerned.

However, later during this period, concerns began to be raised about the role of the major powers in implementing United Nations policies on intervention, with the structure of the Security Council coming into question. The East-West conflict was hugely influential on decision making within the United Nations, and particularly within the Security Council at this time. At a time when a number of bodies within the United Nations were subject to reform, the Security Council was paralysed in terms of efficiency due to the conflict between East and West (Bertrand, 1995: 350). The exclusivity of the Security Council and the crucial power of veto held by the five permanent members as outlined in the previous chapter, meant that it was impossible to secure agreement on matters of international security during this period. In addition, outside of the Security Council, the General Assembly also lost the sense of democracy and neutrality envisaged by member states to be present from its beginnings. Instead, it became a showground for conflict between the superpowers who upon finding the Security Council an ineffective route to action, fought to generate allegiance from smaller states on matters of conflict (Sayward, 2013: 3). The General Assembly became the only space within which the superpowers were able to propose action and gain support from those smaller member states that were not involved in the politics of the Security Council. The global political relationships between states had a heavy impact upon voting patterns and consequently upon the extent to which the United Nations could take action as a neutral international institution.

Inside the General Assembly, the key focus of the United Nations' work during this period was the promotion of the idea of development for newly independent countries. The superpowers used this promotion of

development for smaller states as an opportunity both to gain support and to further their own policy agendas (Sayward, 2013: 5). Both Soviet and American forces emphasised their desire to work on projects that would promote and stimulate development in those smaller states that had recently gained independence. However, the United States were evidently more convincing in their approach as they acquired huge levels of support from former colonies within the General Assembly. Indeed, the overwhelming support for the United States during the Cold War period as a result of their promotion of ideas of development, particularly during the earlier years of the Cold War, was adequate enough to ensure almost all decisions made within the General Assembly privileged United States interests (Rowe, 1971: 76). In exchange for their commitment to promoting development in less powerful states, the United States received significantly increased support in relation to other issues presented in the General Assembly. This was particularly important in light of the Security Council's inability to act as a result of the constant invocation of the veto. This period in time therefore saw the possibility of the manipulation of the United Nations as an institution in line with the political agendas of the most powerful nations, with decision making reliant on the political relationships between states.

This idea of development as promoted by the United Nations is one that has been critiqued throughout the course of this thesis and which has formed the basis of international relationships since the colonial era. This discourse of development for former colonial territories that was crucial for the major powers throughout the Cold War period encourages a Western notion of progress and encourages an hierarchical relationship of dependence, with 'advanced' Western nations acting as teachers, guiding the uncivilised along a linear path to civilisation (Patil, 2008: 95). Rather than encouraging independence and a respect for difference, the notion of

development within this context assumes a singular goal for all states: Western liberalism. The independence of former colonies then becomes bound up in these problematic ideologies of development and civilisation that further legitimate the institutionalisation of great power privilege within the United Nations. This discourse justifies the position of the major powers and naturalises a hierarchy that was established by the unnatural colonial relationship. During the Cold War period, the United States used this problematic framing of global relationships to its benefit in order to gain support in its battle against communism.

The Security Council was not as easily manipulated in the support of United States' interests as the General Assembly however. Whilst the Soviet Union clearly used their power of veto as a political tool within the Security Council throughout the Cold War, they had also become particularly sceptical about the idea of United Nations military intervention, viewing it as an instrument of Western domination and interest (MacQueen, 2011: 28). Although the Security Council had historically respected the principle of non-interference, moves towards more interventionist policy raised concerns around the political agendas of the globally powerful. During the East-West conflict, the United Nations Security Council was prevented from taking action in the form of intervention on 212 occasions, largely at the hands of the Soviet Union (Weiss, 2012: 42). Whilst this was undoubtedly largely a political strategy, used as part of a bigger battle between East and West, it was also representative of an increasing distrust of Western ideology and signified a protest against the continuing dominance of British and American forces in international politics.

The Cold War period therefore began to show the intricate networks of political power within the United Nations and how action and effectiveness could be manipulated at the hands of those governments at the top, as a

result of the strategic construction of the institution from its beginnings. Whilst moves towards interventionist policy and the departure from non-intervention as a guiding principle were still in their infancy, what this period in the Security Council's history illustrates is that its permanent five members were able to use their position in order to ensure their political interests were being pursued, or at least to prevent action that was not in their interests. At San Francisco, these major powers had encouraged support for their permanent membership on the basis that they would be faced with the ultimate responsibility to act in the global interests, however the Cold War period showed the extent to which their own political interests would always be prioritised first and foremost. The increased emphasis on the discourse of development during this period is also significant for the changes in policy that followed and for understanding the ways in which power relationships established through colonialism were justified on the basis of natural progression.

### **Humanitarianism in the 1990s**

The 1990s and the end of the Cold War saw a further transformation in intervention strategies by the United Nations. Encouraged by the relatively peaceful end to the conflict, the United Nations rearticulated a commitment to the foundational values of equality, freedom and liberalism (Barnett, 2002: 25). The dissolution of the Soviet Union had prompted within the United Nations a greater level of cooperation on security matters, with China remaining uncomfortable on the issue of intervention but not enough to invoke the power of veto (Higgins, 1995: 449). Where the Cold War had created political conflicts between East and West within the United Nations, the 1990s saw a much greater level of agreement on issues of international security and a joint commitment to dealing with human

rights abuses from an international perspective. There was however a sense in which existing policies and the focus on non-interference were not seen to be effective in dealing with the rising number of humanitarian crises in this period.

As a result, the early 1990s saw an increasingly invasive interpretation of Chapter VII of the UN Charter (Doyle and Sambanis, 2006: 1). This section of the Charter deals with 'Action with respect to threats to the peace, breaches of the peace, and acts of aggression' and details provisions for the Security Council to authorise the use of armed force in order to '...maintain or restore international peace and security' (United Nations, 1945: 9). Whereas previously, the United Nations had prioritised the right of sovereign states to rule without interference from the international community unless conflicts between states arose, a new form of intervention developed during this period, prioritising the rights of individuals to be treated in accordance with the United Nations Declaration of Human Rights (1948) over the right of states to non-intervention. Humanitarian concerns were not seen to be a legitimate basis for military intervention during the Cold War period, but the 1990s saw a change in attitudes and the overwhelming acceptance of the idea that intervention authorised by the United Nations was a legitimate response to humanitarian issues (Wheeler, 2002: 8). Humanitarianism became the norm for governing relations between states, and indeed between 1990 and 1999 the United Nations was responsible for leading 35 peacekeeping operations, in comparison to only 18 operations between 1948 and 1989 (United Nations, 2016). This period in history therefore saw much greater emphasis being placed on the view that the international community has a duty to intervene, to prevent and to respond to instances of human rights abuse (Kaldor, 2003: 128). Where previously the United Nations had been framed as an organisation with the purpose of preventing international

conflict, this period saw the United Nations take on a more active role in responding to the suffering of individuals within domestic contexts.

In order to understand the implications of this, it is necessary here to look at the beliefs that underpin a humanitarian approach to world politics.

This humanitarianism of the 1990s saw a greater level of importance accorded to the United Nations Declaration of Human Rights (1948) as a standard for the treatment of citizens by governments and emphasis on an obligation for the international community to ensure that all individuals were treated in accordance with this. Human rights as they are conceptualised by the United Nations are based on a belief in a common humanity and the idea that there is in all human beings the same basic moral conviction and as such, a sense of solidarity. This conception of a common humanity is articulated in the idea within international relations that where we are capable to do so we should, and crucially that we have a responsibility to, assist any person who is in need through the simple fact that they are our fellow human beings (Van Hooft, 2011: 291). The idea of humanity is therefore based on an understanding of all individuals regardless of geographical location are equal human beings with equal rights.

From this 'Principle of Humanity' stems the 'Principle of Justice' which amounts to a duty to act to remedy issues of inequality (Van Hooft, 2011: 292). The notion of justice therefore accepts that whilst all individuals have the right to be treated by the same universal standards, as outlined in the United Nations Declaration, this does not always happen and that through historical circumstance, inequalities exist between individuals and groups of individuals. Where inequality does exist, the notion of humanity compels those who have the capacity to do so to address and attempt to deal with inequality, acting upon the notion of justice. The commonality underlying

this idea of humanity and the commitment to justice is that of a shared vulnerability, which in turn underpins human rights as a concept (Turner, 2006: 1). The humanitarianism of the 1990s is based in this understanding of a universal commitment to equality, justice, and to the equal treatment of all as we are all equally vulnerable to abuse in our existence as human beings.

Human rights as an ideology are built upon this foundation of a common humanity which is not geographically located or temporally specific, and which is held in the idea that we are all vulnerable to abuse of these rights at any given time. This sense of shared vulnerability and common humanity allows human rights to be viewed as universally applicable and available to all through their status as human beings (Turner, 2006: 6). Thus, the moral foundation of human rights as a concept is discursively powerful, allowing human rights to be viewed as grounded in a basic human instinct to act in solidarity with others. This moral character provides human rights as a set of beliefs with a tone of rationality, constructing them as natural, neutral and outside of the realm of politics (Douzinas, 2007: 11). This is problematic within the context of the United Nations as it has frequently allowed the major powers to justify intervention on the basis of these individual rights that are conceived of as natural and rational. However, this moral tone that frequently underpins discourses of human rights and underlies appeals to the use of intervention to protect human rights fails to acknowledge the historical construction of human rights as a concept. When we delve further into the history of human rights as an ideology, it becomes clear that they form part of the broader understanding of Western liberalism as the height of civilisation and the end point for human development.

The universalism of human rights and their basis in a sense of a common humanity becomes questionable when we consider their historical foundation. The 1789 Rights of Man and Citizen are often cited as the predecessor of the United Nations Declaration of Human Rights and as the first attempt to formalise the rights of individuals. The Rights of Man however, were never intended as universal rights for all individuals on the basis of their existence of human beings and were in fact a particular set of rights that were not applicable to certain groups, including women, slaves and criminals (Waters, 1996: 595). It is problematic therefore to view human rights as objectively universal when their historical origins are a set of rights that were exclusionary. The inclusion of excluded groups fails to address how it is that the rights of a few became the rights of all and fails to address the historical processes that allowed for these initial silences (Bhambra and Shilliam, 2009: 2). To elaborate, the relationship between the United Nations Declaration of Human Rights and the exclusionary Rights of Man highlights the problematic historical basis of contemporary ideologies of human rights. Therefore, the use of the United Nations Declaration of Human Rights as a justification for interventions is also problematic in terms of the historic silencing of particular groups of individuals and particular cultures. Whilst interventions based on the protection of human rights make claims to universality, the historical foundations of human rights as a concept are built upon the privilege and so their use reinforces this privilege.

Nonetheless, human rights continue to be understood as a universal standard for the treatment of individuals and they formed the basis of the ideology of humanitarianism and subsequently the practice of humanitarian military intervention. The move towards humanitarianism after the Cold War and the development of humanitarian military intervention as a legitimate action by the international community appeals

to a sense of a common humanity and a globalised duty to protect the rights of individuals or to seek justice where rights are being abused. Humanitarian military intervention in this sense is presented as a principle in line with the standard set at the Nuremberg trials after the Second World War, with the suggestion that if crimes against humanity can be used as a legal basis to legally prosecute individuals after events have taken place, then it can also be used as a basis for intervening to prevent humanitarian emergencies before they occur (Fine, 2007: 82). However the concepts of common humanity and human rights have become synonymous with European/Western understandings of civilisation as a result of their historical development. This sense of a common humanity underpinning this drive towards humanitarianism neglects the historical construction of human rights and contributes to the '...mystifying amnesia of the colonial aftermath' (Gandhi, 1998: 4).

To return to dealing with policy as is the focus of this chapter, the development of humanitarian military intervention as a legitimate practice within the international community and the United Nations more specifically was not promoted simply as a case of powerful nations intervening where they saw fit, but as a practice that would increase the protection of individuals through an understanding of basic rights that are inherent in a civilised society and that are applicable to all human beings. Indeed it was the capacity for powerful nations to intervene where they saw fit that prompted scepticism and eventually led to a feeling of disillusionment with humanitarianism as a guiding principle for international relations (Blackburn, 2010: 11).

In an attempt to address these concerns, cosmopolitan writers developed, and continue to support, a set of criteria that an international crisis must satisfy in order for humanitarian military intervention to be deemed

legitimate. Wheeler (2002) argues that humanitarian intervention is only legitimate in cases where:

1. The situation can be deemed a 'supreme humanitarian emergency'
2. Force is used as a last resort
3. A proportionality threshold is met (i.e. the number of lives saved must outweigh the number of lives lost)
4. There is a high probability that the use of force will result in a positive humanitarian outcome.

All four of these requirements must be met in order for the intervention to be deemed legitimate (Wheeler, 2002: 34). These criteria were developed in order to prevent situations whereby powerful nations manipulated the language of humanitarianism to justify interventions with ulterior motives. Although the conflict of the Cold War was no longer directly affecting decision making within the United Nations, the concerns raised around the power politics of the institution remained at the forefront of approaches to intervention. Humanitarianism was heralded as a universal principle that would ensure that the United Nations was working on the basis of improving the lives of individuals without being led by the political motivations of individual states.

However, even if the criteria for legitimate intervention have been met, the conceptual danger of humanitarian military intervention lies in the construction of a victim/saviour dialectic, whereby developing nations play the role of sufferer and powerful nations play the role of rescuer (Douzinas, 2007: 68). The relationship between states within the framework of humanitarianism becomes a paternalistic relationship based on a responsibility to help those less fortunate, and although it is

undeniable that the international community has some sort of duty to assist in cases of abuse, to allow international relationships to develop in this way is problematic as rescue comes to be based on a feeling of superiority (Douzinas, 2007: 73). The policy of intervention based on humanitarianism all too easily becomes a legitimate form of cultural and political dominance through the language of development and responsibility, in much the same way as both the mandate system in the League of Nations and the trusteeship system in the early years of the United Nations. Powerful nations are able to justify their involvement in the political governance of developing nations under the guise of humanitarianism (Barnett, 2011). This paternalism that developed in United Nations policy during the 1990s has a deep significance for the later policy of Responsibility to Protect.

In spite of vast levels of support and cooperation within the United Nations during this period, the rise of humanitarianism within the United Nations after the Cold War was largely unsuccessful. Despite the agreement that the rights of individuals should be prioritised over the right of states to non-intervention, the enforcement of United Nations policy continued to be inconsistent, selective and dependent upon complicated networks of political power (Weiss, 2012: 8). These concerns around the effectiveness of humanitarian military intervention as an approach were exacerbated by the response of the international community to a number of humanitarian crises in the 1990s. As seen historically, the rhetoric of United Nations policy did not match its application in reality, supporting the idea that the difference between what the United Nations claims to do and what it is actually capable of doing is heavily influenced by the political agenda of particular nations, namely the five permanent members of the Security Council.

The disillusionment with humanitarianism as a governing principle intensified following a number of events that were particularly visible in the international media. The genocide in Rwanda in 1994 saw a number of governments render effective international intervention impossible through not wishing to face the costs and risks associated with intervention despite the situation satisfying the conditions for legitimate humanitarian intervention (Seybolt, 2008: 77). When tensions between Tutsi and Hutu populations escalated in early 1994, the United Nations peacekeeping operation present in Rwanda was severely understaffed and ill equipped to deal with the situation (Stein, 2012: 175). As a result, despite an increased focus on the rights of individuals and increased support for intervention on the basis of humanitarian concerns, United Nations involvement in Rwanda was unsuccessful in preventing the tragic mass murder of huge numbers of people. Indeed, in April 1994, Security Council Resolution 912 actually reduced the numbers of the United Nations Assistance Mission for Rwanda (UNAMIR) from 2548 to 270, making effective action impossible (Stein, 2012: 177). Despite numbers being marginally increased later on in the conflict, this particular case was heavily criticised, with many arguing that the permanent members of the Security Council could have acted sooner and prevented genocide (Kuperman, 2001: 78).

Later, the situation in Kosovo in 1999 also raised concerns around the effectiveness of United Nations policies with regards to intervention. The North Atlantic Treaty Organisation (NATO) intervened in Kosovo in spite of the United Nations' inability to come to an agreement on whether or not military intervention was appropriate. NATO's intervention in Kosovo was largely viewed as legitimate, despite not having the approval of the Security Council, existing as a case in which ethical and moral concerns were considered more significant than the approval of international law. As Stromseth et al argue, the situation in Kosovo

'...pitted fundamental human rights principles affirmed by the UN Charter against the Charter's rules limiting the resort to force – confronting NATO with the dilemma of either acting without Council authorization or tolerating severe human rights abuses in a desperate and escalating humanitarian crisis in Europe' (2006: 35).

The intervention in Kosovo was unauthorised by the Security Council due to the use of veto power by Russia and China, preventing the authorisation of the use of force, yet was seen by many as justified despite its illegality. These humanitarian failures, amongst others in the 1990s, highlight again, the ways in which United Nations policy differs in terms of ideology and reality. The rhetoric of equality, human rights and protection seen in United Nations policy was not put into practise as a result of the institutionalised privilege of a small number of states.

These failures of humanitarianism were well publicised by news outlets around the world and prompted calls for a new approach to intervention by the international community, with existing approaches to international security being viewed as insufficient for dealing with such crises. In the case of Kosovo, the ineffectiveness of existing United Nations strategies was most clearly articulated by the international community taking action without Security Council authorisation. NATO's unauthorised bombing of Kosovo had set a precedent for bypassing United Nations policies and procedures in the name of humanitarianism, stressing the need for a new approach capable of dealing with developments in the international community if the United Nations as an institution was to continue to be relevant (Mazower, 2009: 2). The United Nations had to come up with a new approach to dealing with conflict if it was to retain its hold on international law and international relations.

This call for a new approach was stated publicly by Kofi Annan, the UN Secretary-General at the time, who argued that following the number of humanitarian emergencies in the 1990s, there was a need to ‘...adapt our international system better to a world with new actors, new responsibilities, and new possibilities for peace and progress’ (Annan, 1999). Annan argued for the need to develop a system that made the issue of selectivity in interventions less likely through an understanding of intervention as defined through and dependent upon legitimate and universal principles (Annan, 1999).

### **ICISS and the Focus on Responsibility**

Following Annan’s call for a new method of conducting international intervention, the International Commission on Intervention and State Sovereignty (ICISS) was set up in 2001 in order to develop a report based on the idea of the Responsibility to Protect and to formulate a new way for the United Nations to deal with humanitarian situations. Members of the commission were made up of representatives from a variety of nationalities: Gareth Evans (Australia), Mohamed Sahnoun (Algeria), Gisèle Côté-Harper (Canada), Lee Hamilton (United States), Michael Ignatieff (Canada), Vladimir Lukin (Russia), Klaus Naumann (Germany), Cyril Ramaphosa (South Africa), Fidel V. Ramos (Philippines), Cornelio Sommaruga (Switzerland), Eduardo Stein Barillas (Guatemala) and Ramesh Thakur (India). The report generated by the ICISS was voted upon and unanimously accepted at the 2005 United Nations World Summit and remains the leading principle for United Nations approaches to intervention. The 2005 World Summit Outcome document reiterates the commitment of the United Nations to a responsibility to protect, a

responsibility initially held by individual states, but held more widely by the international community should particular states fail in their duty (United Nations, 2005: 30). Having examined the historical development of United Nations policy on intervention since 1945, it is possible to see within Responsibility to Protect the continued sense of paternalism that underpinned the humanitarianism of the 1990s but rebranded as a responsibility, playing on the moral connotations associated with this concept. As Rutazibwa argues, policies established by international organisations in more recent years have used this agenda of development in order to encourage a sense of moral responsibility and ethical concern within international relations (2010: 21).

The report of the International Commission on Intervention and State Sovereignty proposed the idea of understanding sovereignty as responsibility, rather than the automatic right of a state, as well as advancing the notion that responsibility for the protection of populations ultimately lay with the state itself, but fell to the international community should a particular state fail in its duties (ICISS, 2001: XI). Where previously, the notion of sovereignty had been understood as the right of states to self-determination and the right to non-interference by the international community, the Responsibility to Protect discourse argued that sovereignty did not represent authority, but a responsibility for states to protect their own populations from the four key crimes identified in the report: genocide, war crimes, ethnic cleansing and crimes against humanity (Thakur, 2006: 251). This reconceptualisation of the notion of sovereignty implied some level of accountability on the behalf of states, both to their own people and to the wider international community, with regards to adherence to international human rights standards (Cohen, 2012: 14). The sovereignty of states was not to be automatically granted and respected, but became dependent upon the observance of international law and

human rights principles. In this way, the principle of Responsibility to Protect made the rights of states to sovereignty contingent upon the respect of the human rights of the individuals for whom that state is responsible (Bellamy, 2011: 198). It represented an extension of previous ideas of humanitarianism and the focus on human rights as the foundation of international relations, whilst retaining criteria for legitimate intervention and emphasising the idea that intervention is only justifiable in cases of extreme abuse.

Although Responsibility to Protect as developed by the ICISS elaborated on situations whereby international intervention would be appropriate, intervention was presented as the second of three pillars, and there was also a strong focus on the idea of prevention. The ICISS report states that ‘prevention is the single most important dimension of the responsibility to protect...’ and that the responsibility to prevent involved an examination of ‘...both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk’ (ICISS, 2001: XI). This focus on prevention represents an admission of the inadequacies of using intervention to deal with humanitarian emergencies, and an understanding that both the state in question itself and the international community have a responsibility to intervene in a non-military manner as soon as situations of conflict become apparent. This was encouraged both on a moral level and on a political or economic level, as prevention would address the tension between the respect of sovereignty and military intervention, as well as being significantly less costly for intervening parties (Woocher, 2012: 22). In this sense, the ICISS encouraged a stronger feeling of international community, encouraging assistance to failing states before situations reached the level of genocide, war crimes, ethnic cleansing or crimes against humanity.

The third pillar of the responsibility to protect as defined by the ICISS report was the responsibility to rebuild. Should prevention fail and intervention by the international community become absolutely necessary in order to prevent large-scale harm, the international community, according to the ICISS, has a responsibility '...to provide, particularly after a military intervention, full assistance with recovery, reconstruction and reconciliation, addressing the causes of the harm the intervention was designed to halt or avert' (ICISS, 2001: XI). The responsibility of the international community as suggested by the ICISS was therefore an extension of previous understandings on the necessity of intervention. Not only did states have a responsibility to intervene in traditional ways - militarily or otherwise - should a state be seen to be failing in its responsibilities towards its citizens, there was also an earlier responsibility to attempt to prevent situations from escalating to the point of intervention, and a later responsibility to assist in rebuilding communities following intervention. These three pillars of the Responsibility to Protect can be clearly seen in Articles 138 and 139 of the 2005 World Summit Outcome document and became the new lens through which humanitarian assistance was viewed by the United Nations (United Nations, 2005).

What lies at the heart of this sense of responsibility is the notion of action. All three pillars of Responsibility to Protect promote the idea of action by the international community. In terms of responding under Responsibility to Protect, there are four categories that constitute legitimate points for intervention: genocide, war crimes, ethnic cleansing and crimes against humanity (Murray, 2012: 65). This categorical definition of legitimate causes for intervention attempts to clarify those situations whereby military action is appropriate and avoid intervention under the general guise of humanitarianism, seeming to address the concerns over selective enforcement and the abuse of power within the Security Council. However,

the importance of action under Responsibility to Protect is somewhat undermined by the lack of consequence for inaction. The duty to prevent, respond and rebuild is clearly articulated but in the absence of an overall enforcing authority, there is no corresponding punishment for a failure to act (Welsh, 2012: 106). Whilst individual states run the risk of intervention by the international community should they fail to live up to their responsibility to protect their citizens, once this responsibility falls to the international community, there is no tangible consequence for their failure to live up to it. In this sense, Responsibility to Protect does not go very far in dealing with the issues associated with humanitarian military intervention, namely selective enforcement and dominance by the powerful.

The issue of selective enforcement was the initial prompt for a reconceptualisation of responsibility, as outlined by Kofi Annan following the situation in Rwanda. The United Nations military force was ill-equipped to respond in Rwanda due to those member states who were capable of providing support not wishing to face the costs and risks that military action would require (Seybolt, 2008: 77). In the absence of an authority which has the power to punish inaction by those with the capacity to do so, selective enforcement of United Nations policies in this manner will continue to occur. Rather than acting on the moral obligation that is envisaged by the ICISS, states without a political interest in the outcome of conflicts make rational cost/benefit decisions based on the likelihood of success, which raises questions around legitimacy (Murray, 2012: 69). There may be a situation that satisfies the definitions of a legitimate emergency as proposed by the Responsibility to Protect principle, but there is no compelling force to action other than the sense of moral obligation seen to underpin international relations. As a result, despite the ICISS aiming to provide a structure of responsibility that would be

universally applicable, we continue to see inconsistent application of the Responsibility to Protect doctrine (Bellamy, 2011: 27). Furthermore, in the event that a situation is deemed a legitimate cause for action, practical issues with regard to operationalising Responsibility to Protect arise. There is no clear process for the application of Responsibility to Protect in logistical terms, and as such, the task falls to the Security Council, which has proved both incapable and unwilling to implement this policy through military intervention (Murray, 2012: 72). Despite its aims to provide a clear and consistent framework for intervention, the implementation of Responsibility to Protect is obstructed by issues of cost and the logistics of military deployment, such as chains of command (Murray, 2012: 71).

The principle of Responsibility to Protect suffered a number of blows to its reputation following these issues of global power relations, particularly at the hands of the British government under Tony Blair and the United States government under George W. Bush. Following its formation by the ICISS in 2001, the language of Responsibility to Protect was heavily used by the United States and British governments to retroactively (and inaccurately) justify their involvement in the invasion of Iraq (Chalk et al, 2012: 39). The use of this framework to legitimate the Iraq invasion subsequently damaged the reputation of Responsibility to Protect following the intensely negative public response to Iraq. The use of Responsibility to Protect as an inaccurate justification for the war in Iraq emphasises the way in which constructions of responsibility with regards to human rights are heavily influenced by power and the capacity for particular actors to appropriate a discourse to justify their actions.

The aftermath of the Iraq invasion, particularly in relation to the atrocities of Abu Ghraib, meant that the United States government was no longer viewed as a guarantor of international rights (Habermas, 2003: 703).

Following this, Responsibility to Protect was viewed with cynicism by a number of actors in the international community, who saw it as another potential framework for neocolonial dominance by the world's most powerful. The lack of power experienced by the United Nations despite its authority meant that the global hegemonic powers remained immune to punishment (Mahdavi, 2012: 263). These concerns were emphasised particularly by Arab and Asian states following the 2005 World Summit, who came to view Responsibility to Protect as a reconceptualisation of humanitarian intervention, providing the opportunity for coercive interference in the domestic affairs of states (Bellamy, 2011: 31).

These concerns around the relationship between Responsibility to Protect as a means of human protection and other political goals, such as regime change have retained significance in recent years, particularly in relation to the Middle East and North Africa (Bellamy and Williams, 2011: 846). The end of 2010 saw the beginnings of revolutionary protests across the Middle East and North Africa, with the case of Libya being the most significant for the discussion here. Following an escalating conflict between the Gaddafi government and rebel forces, the United Nations Security Council adopted Resolution 1973 on March 17<sup>th</sup> of 2011, authorising international forces to use 'all necessary measures' to protect Libyan civilians (Crook, 2011: 571). This was not the first time that Responsibility to Protect had been used in order to authorise intervention, but its significance stood in the fact that United Nations involvement was not welcomed by the Gaddafi regime. Resolution 1973 was the first instance of Responsibility to Protect being used to justify intervention and the use of force against the wishes of a functioning state (Bellamy and Williams, 2011: 825). The Libyan case was also the first example of Responsibility to Protect being used in the Middle East and Northern Africa (Mahdavi, 2012: 257). The United Nations

response to the conflict in Libya saw a different use of policy around intervention and the idea of responsibility than had been seen before.

The intervention in Libya saw concerns raised specifically around the relationship between Responsibility to Protect and the political goal of regime change within the international community, with critics arguing that whilst intervention with the aim of protecting human life is legitimate, intervention with the basic political aim of regime change is not (Bellamy and Williams, 2011: 846). This particular case, which has been utilised throughout the course of this thesis, draws attention to the way in which those nations with the most political power, namely the five permanent members of the Security Council, are able to appropriate United Nations policy in order to justify and legitimate intervention with potentially political rather than humanitarian aims and objectives. This was of particular significance in the case of Libya, as the larger narrative of the Arab Spring protests was the claim that these countries wished to transcend the West rather than replicate it, rejecting colonial and postcolonial oppression (Dabashi, 2012: xviii). The very purpose of the revolutions across the Middle East and North Africa was independence and freedom for civilians, both from a dictatorial regime and from their continued economic exploitation by the West. What they received instead was further oppression through a military intervention that sought to ensure the perpetuation of postcolonial structures of power throughout the international community.

The Security Council discussions around intervention received significant media coverage at the time, and indeed continue to do so, highlighting the tensions between East and West that have soared in the months of 2016 in relation to Syria, seeming to have revived the Cold War frictions between the United States and Russia in particular. However, this tension appeared

to be brewing in the immediate aftermath of the Libyan intervention. The revolutionary protests in Libya spread to Syria in the later months of 2011 and despite similarities between the two contexts, a draft proposal for intervention in Syria put forward by the UK, France, Germany and Portugal was not accepted by the Security Council. Both Russia and China vetoed the proposals, with Russia explicitly citing the Western 'betrayal' over Libya as their reason for doing so (Rotmann et al, 2014: 368). Whilst Responsibility to Protect was implemented in response to the conflict in Libya in terms of protecting the lives of civilians where their government had failed to do so, the Russian government deemed the response of the international community as something that amounted to more than simple protection. The Russian government argued that the air strikes that formed a part of the military intervention in Libya were not consistent with the protection of civilians, but rather represented support for anti-government forces in order to topple the Gaddafi regime that had fallen out of favour with British and American governments (Averre and Davies, 2015: 818). As such, the Russian government has remained absolute in its stance and consistently prevented action by the United Nations in Syria. Whilst this is undoubtedly in part due to the political relationship between the Russian and Syrian governments, the defiance of the Russian government is also representative of a Cold War attitude towards the West, a statement that Russia will not be overruled by British and American political desires and a clear objection to the disregard of the principle of non-intervention as respect for the right of states to sovereign authority (Averre and Davies, 2015: 829). It would seem that, due to historical ideological disagreement, Russia has an understanding of the Responsibility to Protect that is at odds with the wider international community, questioning the legitimacy of intervention as a humanitarian practice (Orchard, 2016).

This inconsistent application and selective enforcement of Responsibility to Protect in recent years emphasises the extent to which issues of global political power infiltrate international relations. There is a distinction in this context between power and authority. Whereas authority represents the capacity to create norms and provide them with legitimacy as the result of a political process, as with the United Nations, power relates to the capacity to enforce these norms (Thakur, 2006: 6). It follows that although the United Nations has the authority to create norms such as Responsibility to Protect and provide them with legitimacy through an international political process, the lack of a binding contract to action means that they are dependent on the world's strongest military powers to enforce these norms. In other words, as has been seen in the very recent contexts of Libya and Syria, the United Nations is unable to enforce its authority with regard to the Responsibility to Protect without the support of the five permanent members of the Security Council.

Although Responsibility to Protect makes appeals to a moral obligation and a sense of common humanity, the reality is that action remains constrained by the unequal power relations in global politics (Mahdavi, 2012: 267). It is naive to think that these powerful states will act purely in the utopian interests of a common humanity. Their decisions are always influenced by rational understandings of the costs and benefits, both financial and political, involved in intervening based on the Responsibility to Protect. Powerful states have strategic not moral priorities (Thakur, 2006: 241). As with previous approaches to international relations and humanitarian interventions, Responsibility to Protect becomes a question of power. Powerful states may, through the United Nations, intervene in the name of protecting the rights of minorities suffering from human rights abuses, but there is no protection for the weak against the dominant international moral majority (Thakur, 2006: 211). Responsibility to Protect in this sense

runs the risk of legitimating a particular understanding of progress and the enforcement of a singular conception of moral values. Selective enforcement will continue to be an issue for as long as the United Nations as a world organisation is reliant upon of the cooperation of the world's major powers (Habermas, 2006: 20).

The main issue that arises out of this conception of responsibility is that of collective action. Responsibility to Protect is based on an understanding of a unified international community which has a collective responsibility to protect, both at the individual level of states to their own people, and at the global level. In reality, this international community is a complex network of power relations (Mahdavi, 2012: 267). The capacity for action is dependent upon the cooperation of the world's most powerful states, without whom, the international community in the sense of capacity for collective action ceases to exist. The United Nations Security Council cannot be viewed as the agent of enforcement with regards to moral responsibility as its success or failure to live up to this responsibility is dependent upon the action of member states (Welsh, 2012: 111). The emphasis of Responsibility to Protect on a collective moral responsibility fails to recognise these fundamental issues of power, instead choosing to believe that states will act in the interests of a common humanity as members of an international community. With regards to implementing the Responsibility to Protect, 'to assign this task to the "international community" is to assign the task to everyone and no one' (Knight, 2012: 283). The current global order and organisation of state boundaries does not allow for collective action in this way. Assigning the task of protection to the international community provides a number of potential rescuers, and as a result, less chance of actual rescue (Welsh, 2012: 106). Thus, despite initial optimism with regards to Responsibility to Protect and its potential to provide a more transparent and concrete framework for

dealing with acts of genocide, war crimes, ethnic cleansing and crimes against humanity, a number of questions and concerns remain about the use of moral claims to responsibility in order to legitimate dominance and perpetuate the existing global order. Selective enforcement and the lack of consequence for inaction continue to thwart consistent application of the principle in dealing with humanitarian emergencies. The conflicts arising in the Middle East and North Africa in recent years have highlighted the extent to which national interests always trump humanitarian need (Hehir, 2016).

This section concludes this brief history of the development of policies on intervention within the context of the United Nations, showing the stark contrast between initial commitments by the United Nations to non-intervention and the Responsibility to Protect, which amounts to a moral right to intervene in the affairs of other countries. The argument that has been developed here is that the Responsibility to Protect signifies the latest stage in the historical domination of particular parts of the world by others, a neocolonial technology of power that legitimates the dominance of the major powers through a continued reliance on the hierarchical understanding of global society that has been institutionalised in the United Nations. Sovereignty under Responsibility to Protect is no longer the right to self-determination, but is a capacity that states have dependent upon their adherence to Western cultural norms (Rutazibwa, 2014: 295). As we have seen continuously throughout history, cultural difference is unable to be understood purely as difference. Instead, all non-Western states are dealt with through the ideologies of development and progress, whereby their difference will be eradicated and their culture assimilated, usually by force (Rutazibwa, 2014: 295). This is emphasised through the continued process, which we have seen throughout the history of sovereignty as a concept, of making sovereignty contingent upon terms

decided by the West. As argued throughout Chapter 5, sovereignty for non-European states has always been dependent upon an adherence to Western values, and we continue to see this within the context of Responsibility to Protect and the reconceptualisation of sovereignty as responsibility.

Following the formal decolonisation of the majority of the world, Responsibility to Protect is a neocolonial policy, providing major powers with the right to intervene – or not intervene - when and where they deem it appropriate whilst simultaneously removing the rights of former colonies to non-intervention as outlined in the Charter of the United Nations. The purpose of the argument developed throughout this chapter is not to suggest that the sovereignty of violent dictatorial governments should be prioritised over the lives of civilians, but rather to disturb dominant understandings of the United Nations and particularly the Security Council as acting in the interests of international peace and security. This issue provides a clear example of the way in which neocolonialism functions within the contemporary practices of the United Nations, and as Nkrumah argues; ‘neo-colonialism is the worst form of imperialism. For those who practice it, it means power without responsibility and for those who suffer from it, it means exploitation without redress’ (1965: xi). Through the Responsibility to Protect, the United Nations seeks to perpetuate colonial power relations whilst claiming to be acting in the interests of freedom.

## **Conclusion**

The ability of the major powers to continue to manipulate policy in their interests in spite of more recent attempts to restrain this control highlights the magnitude of their privilege within the United Nations. In this chapter, intervention has been used as an example of how postcolonial power

manifests in reality through neocolonial mechanisms, as well as being an illustration of the importance of understanding the historical context of contemporary debates.

As the Cold War period had also witnessed the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960), the major powers had to establish new technologies for retaining control over former colonies and this was done through an increased focus on the idea of development. In light of formal decolonisation, this would allow the major powers to continue to relationships of control and the kinship politics reminiscent of formal colonialism (Patil, 2008).

This chapter argued that the reconceptualisation of sovereignty as responsibility serves to legitimate the existing global order and justify intervention that is often politically motivated. Furthermore, the language of responsibility that is used in framing the policy seeks to legitimise the United Nations as an organisation committed to peace, but the structure of the organisation and the lack of consequence for a failure to implement the policy allows Western powers to distance themselves from any real sense of responsibility (Chandler, 2010). Ultimately, even when policy makes clear the circumstances under which intervention is appropriate and necessary, it is still the power of the permanent five members of the Security Council to enforce this policy and there is no consequence for their failure to do so (Welsh, 2012: 106). As such, this policy functions to justify the interventions the major powers do decide to undertake as the actions of world leaders who are responsible for the protection of civilians suffering abuse at the hands of their own governments, whilst failing to compel these world leaders to act in all cases that meet the criteria for intervention.

Indeed, the contemporary examples that have been returned to throughout this thesis of the uprisings in the Middle East and North Africa emphasise the degree to which this policy has failed to address selectivity and the power of the permanent members of the Security Council to continue to manipulate the organisation in line with their own political interests (Thakur, 2013: 71). It is the argument of this Chapter that the United Nations will continue to act selectively in cases of civil war and humanitarian emergency whilst the structure of the organisation remains unchanged. As long as its permanent members and their ability to veto dominate the Security Council, selectivity will be inevitable.

To conclude, this chapter has provided a historical narrative of the development from non-intervention to a responsibility to intervene that argues that the issue of intervention illustrates the various techniques within the United Nations for managing particular parts of the world. It has shown how, at different periods in time, the United Nations has been able to maintain systems of colonial and neocolonial domination and to perpetuate global hierarchies of power that were established by colonialism. Each of these approaches to intervention following formal decolonisation has allowed for the continuation of selective enforcement of interventionist policy in line with major power interests, which has been justified through the language of responsibility and ideologies of development and civilisation.

## **Discussion and Conclusion**

'...the European peoples must first decide to wake up and shake themselves, use their brains, and stop playing the stupid game of the Sleeping Beauty' (Fanon, 1967: 84).

### **Introduction**

The United Nations has been framed as an organisation with the primary aims of maintaining international peace and security and achieving international cooperation since its establishment in 1945. This thesis forms a postcolonial critique of the United Nations as an institution, particularly in relation to its claims to equality, with a focus on the ways in which both the structures of the organisation and the discourses surrounding it allow for selectivity when dealing with conflict at an international level. It has further been argued that these problematic discourses are a result of the suppression of colonialism in the historical narratives of the United Nations and closely related to this, in the narrative of the development of international law and the concept of sovereignty. The historical construction of the United Nations in this manner, it has been argued here, has served to maintain the existing global order and develop new forms of neocolonial control following decolonisation and independence, privileging western culture and equating difference with underdevelopment. Here, the attempt has been to uncover some of the silences in the history of the United Nations and to disturb the dominant discourses of equality that surround the United Nations as an international organisation.

Part One of the thesis exists as a challenge to history, both to the standard histories of the United Nations that have been shown to be inadequate and to history more broadly as a process of silencing. It sought to challenge the dominance of particular narratives in our understandings of the world and more specifically in the dominant discourses of equality that surround the United Nations as an institution. Chapter 1 began by outlining these dominant discourses, detailing the standard histories of the United Nations and illuminating the absences apparent in their narratives despite their view of the United Nations not always being positive. It argued that in order to address these absences, it was necessary to view the United Nations as an extension of the imperial alliances that constituted the League of Nations, taking into account the relationship between the League and the process of colonialism (Mazower, 2009: 17).

The postcolonial framework within which this challenge is conceived was outlined in Chapter 2, which introduced the main critiques of the United Nations as an organisation and of international law and its reliance on the concept of sovereignty more broadly. This theoretical framework was accompanied by a methodological framework in Chapter 3 that argued strongly for the importance of history and for the potential of the archive as a source of counter-knowledge with which to challenge dominant discourses.

This counter-narrative was detailed in Chapter 4 in order to contest those dominant narratives of the history of the United Nations that underplay the significance of colonialism in the founding of the organisation and that enable an understanding of history where colonial powers are the saviours of those they ruled over. This chapter argued for a re-narration of history in order to account for these traditions of resistance.

Part Two has focused on applying these theoretical approaches to the structures of the United Nations that have maintained colonial power relations through neocolonial technologies. Part two began with an examination of the United Nations' claims to sovereign equality in Chapter 5 and argued that such claims are incompatible with the history of sovereignty as a concept and the structures of the organisation itself. This formed the basis for a discussion of the role of the Security Council in Chapter 6, which argued that the United Nations was fundamentally based on the concentration of power in the Security Council where the sponsoring nations had and continue to have an overwhelming dominance.

Chapter 7 concludes this second part, concentrating on the issue of intervention and arguing that in the historical development from non-intervention to the Responsibility to Protect, the United Nations has undergone a series of policy changes in order to ensure the continuation of global hierarchies and systems of control that have their roots in the colonial encounter and colonial power relations. This concluding chapter will bring together the debates from these previous seven chapters in order to emphasise the significance of historical understanding in the discussion of contemporary debates.

It will begin with an examination of the issues that provided the impetus for this project: intervention, selectivity and the privilege of the major powers. These issues, which are of significant contemporary relevance, were the starting point for the thesis and they bring together and exemplify the broader arguments of the thesis in terms of the importance of re-narrating history in order to account for the silencing of colonialism. I will then move on to discuss the theoretical approach that has formed the framework for the arguments made throughout the previous seven chapters, focusing on the absence of colonialism from historical narratives

of the United Nations and the constant reinforcement of discourses of development that have been challenged throughout. The next section will reiterate the methodological approach that informed the project, arguing for the importance of history in our understandings of the contemporary world and for the need to address the silencing of particular histories. The entire project is committed to addressing inequality through the re-narration of history in order to give voice to silences. This chapter will conclude with a summary of the core claims of the thesis and some ideas for potential directions of future research.

### **Intervention, Selectivity and Great Power Privilege**

Chapter 7 discussed the development from non-intervention as a leading principle in the earliest years of the United Nations to the current guiding principle of Responsibility to Protect, which was in fact the starting point for this thesis. If there is a *responsibility* to protect those in danger of human rights abuses, living in civil wars and suffering at the hands of their own governments, how is it that some conflicts result in an international military intervention authorised by the United Nations and others do not? What are the underlying historical structures that allow for this selectivity to occur?

Here, it has been argued that the institutionalisation of great power privilege, particularly within the context of the Security Council, since the very beginnings of the United Nations has made selectivity possible and in some ways inevitable (Roberts and Zaum, 2008: 12). Whilst the Charter makes non-intervention a key principle of the United Nations and the way it deals with conflict, the structure of the organisation means that these decisions are ultimately made by the major military powers and has

allowed for the development of a policy that legitimates intervention by framing it as responsibility as opposed to political interest. The contradiction inherent in this responsibility is that there is no consequence for inaction. Whilst the Security Council can justify military intervention on the basis of a responsibility to protect the populations of countries in conflict where their own governments are failing to do so, there is no actual obligation for states to act (Welsh, 2012: 106). A conflict may satisfy the conditions to make military intervention a legitimate response, but in reality, the absence of a United Nations military force leaves this responsibility at the hands of individual governments and there is no ultimate authority that can force states to use their own military forces. The concept of responsibility in this context therefore seems to be serving some other purpose than dealing with conflict and threats to international peace and security.

Throughout the course of this thesis, it has been argued that the notion of responsibility is in fact a product of the discourses of development that surround the United Nations. The concept of responsibility serves to legitimate the unprecedented institutionalisation of great power privilege, particularly within the Security Council (Krisch, 2008: 135). The veto power afforded to the permanent five members of the Security Council essentially provides them with the ability to make the ultimate decision with regards to military intervention. This power is afforded to them in recognition of their distinct role in the maintenance of international security (Thakur, 2006: 48). This role is theirs however as a result of an understanding of the world that was established through colonialism. Imperial powers believed themselves to have an advanced level of social complexity in comparison to the colonies they controlled and the notion of development was established on the basis that the 'uncivilised' people of the colonies could attain this social complexity if they conformed to certain values (Tarazona,

2012: 917). Through the colonial encounter, imperial powers could teach uncivilised nations to conform to European values, following a path of progress and development that had European culture as its ultimate endpoint. This idea of viewing cultural difference in terms of development has ultimately fed into the notion of responsibility that has increased in significance over the seventy years of the United Nations' existence. Colonialism established the framework whereby European nations could be viewed as educators who were responsible for the development of uncivilised nations into civilised nations and this responsibility provided them with a distinct status in regards to maintaining international security, most notably in the Security Council (Patil, 2008: 96).

The practice of intervention illustrates the degree to which the power of the powerful has been cemented in the very structure of the United Nations. The ability of the Security Council to intervene in domestic conflicts and to act selectively in deciding where to intervene highlights the need for change in the structure of the United Nations if we wish to move towards a more equal global society. Whilst the Security Council continues to be the body where decisions around intervention are made and whilst it continues to be dominated by its permanent members, the United Nations will continue to be an institution that legitimates a global hierarchy and allows for postcolonial structures of power, domination and exploitation.

### **Discourses of Development and the Absence of Colonialism**

The dominance of the major powers within the United Nations and their position in a global hierarchy is underpinned by a discourse of development that supports eurocentric understandings of what it means to be civilised. This discourse of development that was established in the

colonial encounter has been consistently reproduced throughout the history of the United Nations and within the League of Nations before it. It has been most significant in the management of colonial territories through the mandate system in the League of Nations and the system of trusteeship in the United Nations (Anghie, 2005). Both of these systems have framed the major powers as acting as paternalistic educators of the uncivilised and have enabled neocolonial technologies of management through an understanding of development that is problematic (Rajagopal, 2003: 72).

The relationships between colonies and their colonisers that were entrenched in the mandate system were replicated in the trusteeship system, albeit accompanied by a much more explicit focus on the idea of development (Rajagopal, 2003: 72). What had previously been understood as a relationship between colonies and empires was framed by the United Nations as a relationship between administering authorities and dependent territories. In response to mounting anti-colonial public pressure, the United Nations established a system that reinforced existing discourses of development in order to legitimate problematic hierarchies that were built into its structure from the start. These relationships were characterised by what Patil calls 'kinship politics', framing these dependent territories as irrational and childlike, in need of tutelage and guidance from the rational and paternal advanced states (2008: 95). In the face of an increasing anti-colonial sentiment, it was important for imperial states to establish new forms of control that could be justified as something more than domination and control, so that even when former colonies were granted independence it was the result of a satisfactory adherence to the path of development established by their colonial masters (Rajagopal, 2003: 72).

In order for these new systems to work, it was vital for the sponsoring governments to minimise discussion of the colonial question and decolonisation in the founding stages of the United Nations. As highlighted in Chapter 1, this silencing of colonialism did not only occur at the San Francisco conference in 1945, it is a silence that has been replicated and reproduced throughout the standard histories of the United Nations. Standard accounts of the establishment of the United Nations as an international organisation fail to acknowledge the significance of colonialism for its founding and as a result, reproduce the problematic discourses of equality that surround it (Sherwood, 1996). Chapter 4 highlighted some of the unsuccessful attempts by various groups such as the African Academy of Arts and Research and the West Indies National Council to get decolonisation and independence for the colonies onto the agenda for discussion at San Francisco, attempts that have been written out of the vast number of accounts of the history of the United Nations (Sherwood, 1996: 71). The fact that these attempts were made, were unsuccessful and have not been included in the standard narrative tells us something significant about the United Nations as an institution. Rather than dealing with the issue of colonialism and making commitments on the subject of independence, the major powers sought to minimise discussions of this sort in order to enable new forms of management to be established that were not explicitly colonial but maintained colonial relationships (Patil, 2008: 42).

Colonialism is also notably absent from histories of international law and most importantly for the arguments developed here, in accounts of the history of the concept of sovereignty. The United Nations frames sovereignty as an objective status for those states that have successfully followed European paths to development to the extent that they are able to participate in the global system. The aim of the trusteeship system in

this sense is to guide dependent territories to a level of progress where they can be granted sovereignty and participate in international relations as individual states (United Nations, 1945). However, this narrative neglects the significance of colonialism for the concept of sovereignty and for the development of international law more generally. This thesis has made frequent use of Anghie's argument that sovereignty as a way of governing relationships between states emerged during the colonial encounter as a way of understanding the relationship between European colonisers and their non-European colonies (2005: 3). In order to justify colonial domination, imperial states were deemed sovereign and colonies were not, making international law key to the civilising mission of colonialism, with colonialism acting as the process by which uncivilised nations could become civilised and be granted sovereignty. As the United Nations claims to be based on the sovereign equality of member states, it is significant to understand here the colonial history of the concept of sovereignty in itself.

The perceived objectivity and universality of international law was justified through the idea that the status of sovereignty was attainable for all nations and these ideas were used to legitimate the exploitation of colonial domination as a civilising mission (Koskenniemi, 2005: 117). For this colonial history to be absent from narratives of international law is therefore problematic as it fails to recognise the fact that whilst European states were inherently sovereign, non-European states had to earn their sovereignty through adherence to European cultural values. In this sense, their sovereignty can never be equal.

The challenge to discourses of development that has been present throughout this thesis is based on the belief that to understand the world in terms of development and progress is to prioritise particular cultures

and traditions over others. To challenge this is to emphasise that these discourses have enabled and justified the violence inherent in colonialism and to challenge the continuation of this violence through neocolonial forms of control. Understanding the world in terms of development towards a singular end point will always prioritise the values of a particular culture and it is this that I take issue with throughout the course of this thesis.

### **Silences and the Importance of History**

In addition to making specific arguments about the United Nations and its relationship to colonialism, it has been the aim of this thesis to emphasise the significance of an accurate understanding of history for a more valid or legitimate analysis of contemporary debates. In the case of this project, this has been exemplified by the analysis of the selective enforcement of United Nations' policies on military intervention, arguing that in order to understand the implementation and selective enforcement of the Responsibility to Protect principle in the Middle East and North Africa since the pro-democracy revolutionary uprisings that began in late 2010, it is necessary to understand the underlying structures that have enabled this selective enforcement to occur. To discuss selective enforcement without reference to the ways in which great power privilege has been institutionalised in the United Nations and in turn, how this power has been legitimated by postcolonial discourses of development that pre-date the establishment of the United Nations is to neglect significant aspects of history that have influenced contemporary international relations. Within the contemporary context of political struggles between the world's major powers, civil war across the Middle East and North Africa, a refugee crisis on an unprecedented scale and the recent turn towards a romanticised

British desire to return to empire, it seems more important than ever to re-narrate our histories in order to take into account the effects of colonialism on the contemporary structure of the world. The failure to acknowledge the histories of colonialism that have shaped the contemporary world has a significant impact upon the ways in which it is possible to understand and frame contemporary political debates (Bhambra, 2014: 153). In order to fully understand contemporary global politics, it is necessary to include these histories of colonialism that have been consciously forgotten in order to maintain existing hierarchical orders of power. The historical analysis that has been presented here works on this understanding that an inaccurate understanding of the past, where significant events and processes have been silenced or excluded, can only lead to an inadequate understanding of the present (Bhambra, 2007: 2).

In dealing with silences, it has also been a desire of the project to give voice to those aspects of history that are usually overlooked. Chapter 4 re-narrated the relationship between international institutions and colonialism by emphasising the histories of resistance that have accompanied the establishment of these institutions. This is not simply about filling in the gaps in historical knowledge, but it is also an acknowledgement of the attempts made by various groups to resist colonial domination. To do this emphasises the overwhelming violence of colonialism, postcolonialism and neocolonialism in that these structures of power have succeeded in spite of significant resistance, but it also aims to give credit to this anti-colonial resistance in achieving the formal decolonisation that is usually attributed to the United Nations. In this sense, the reinterpretation of history is not simply about providing a different interpretation of the same facts, but about establishing new facts and the exposure of facts that have been hidden by the overwhelming power of some to make history (Bhambra, 2007: 155). However, this

project also acknowledges the limits of this kind of work and does not claim to speak for those who have suffered at the hands of imperial violence and who continue to suffer as a result of the political interests of Western governments engaging in neocolonial practices of domination. There is always a limit to the extent to which a researcher can address the silences of non-Western contexts when writing from a Western positionality (Rutazibwa, 2014: 299). I am aware that my own position within a global context is a privileged one and I am conscious of the complications of addressing the silencing of particular histories from my global and historical positioning. The hope is that this work can contribute to a wider project of addressing historical silences that includes the work of non-Western scholars in narrating their own histories.

There is also a hope that the disciplinary context of this project makes an original contribution to the topic of study. Critiques of the United Nations and discussions of the issues presented throughout these chapters are usually the realm of legal studies or of theorists of international relations in politics departments. By approaching this topic from a sociological perspective, it has been possible to look much more closely at the discourses that underpin relationships between states within the United Nations, as sociology is primarily concerned with issues of power, ideology and identity within particular contexts, exploring the relationship between societies and institutions that are involved in the establishment of power (Taylor, 2010: 15). Rather than simply providing an alternative narrative to the standard accounts of the United Nations, a sociological approach has allowed for a calling into question of that which we take for granted, arguing against narratives that construct our experiences as necessary and natural (Dean, 2003: pp. 180-181). The overarching purpose of this thesis is to disturb the dominant discourses of equality and development that

underpin the United Nations, which are all too often naturalised through notions of responsibility and progress.

### **Conclusions and Future Research**

What has been established here is a critique of the understanding that the United Nations is an institution entirely dedicated to the maintenance of international peace and security and fundamentally based on the principle of equality. The exploration of the selective enforcement of policy on intervention has highlighted the way in which the structure of the Security Council and the United Nations more broadly has been designed to enable the privileging of the political interests of the world's most powerful nations. Their privileged role and status within the organisation has been legitimated throughout history by underlying discourses of development that perpetuate an understanding of progress as adherence to European culture and Western liberalism, allowing the major powers to be viewed as responsible for global development due to their sophisticated culture (Tarazona, 2012: 917). This relationship was established through the colonial encounter alongside the concept of civilisation and an understanding of cultural difference as civilised versus uncivilised. The silencing of colonialism within the historical narratives of the United Nations and within narratives of the development of international law more broadly is therefore significant. To fail to acknowledge how it is that particular states and not others came to be the permanent members of the Security Council is to inaccurately represent the history of international relations and allows for problematic understandings of the world order as natural and justified. The silencing of colonialism within this context serves to maintain the existing global order by legitimating power differentials through a relationship of responsibility and to equate the idea of cultural difference with underdevelopment and privilege Western culture. The

silencing of colonialism has allowed for the continuation of postcolonial power structures and neocolonial technologies of power that ensure the continued dominance of the world's major powers. The aim throughout this thesis has been to uncover some of the silences in the United Nations' history of itself and the histories told by academics, disturbing dominant discourses of equality and highlighting the significance of colonialism for these histories in order to provide an alternative analysis of contemporary issues of selectivity. Furthermore, the aim has been to emphasise the significance of an accurate understanding of history for understanding contemporary debates.

The implications of this research relate to the ability to take seriously the histories of colonialism and anti-colonial resistance that are presented here as fundamental to the construction of the United Nations. Should these histories be taken seriously, there are significant implications for the disciplines of International Relations, Law and Politics, in terms of understanding their critiques in terms of traditions of resistance in a non-Western context. Whilst the critical scholars of these disciplines have worked towards a deconstruction of their core concepts, this needs to be done in terms of the histories of resistance that have been presented here, not just in critical terms. The thesis also has implications for international institutions and international policy in terms of re-structuring the Security Council within the United Nations and problematising ideas of development and civilisation in terms of their historical use. The argument here has been that such discourses have enabled the perpetuation of colonial power structures through international institutions.

Finally, there are implications for contemporary forms of resistance to such power structures in terms of learning from anti-colonial movements that saw unity across political, economic and cultural divides. This argument is

articulated in Pham and Shilliam's (2017) edited collection *Meanings of Bandung: Postcolonial Orders and Decolonial Visions*, which argues the politics of Bandung reverberates in today's continued battles against neocolonialism. The de-silencing of colonial histories and anti-colonial resistance can therefore provide a framework for resisting neocolonial practices and postcolonial power if we take these histories seriously and use them to challenge existing global power structures. The hope of this thesis is to contribute to this process of de-silencing in order to further resistance.

In terms of future research, this project has opened a number of possibilities in terms of exploring the role of anti-colonial resistance movements throughout history in challenging eurocentric dominance. I am keen to do more research into the structures of these anti-colonial organisations and to use archival material in order to give voice to these narratives that have been continually silenced throughout history, particularly in terms of understanding how these anti-colonial movements frame and re-frame the core concepts that are central to our understanding of the modern world. My work will remain committed to a desire to challenge the naturalisation of colonialism as process of domination and violence, as well as a desire to challenge the discourses of development that continue to govern relationships between different parts of the world.

The recent conflicts in the Middle East and North Africa that have provided both the impetus for this study and examples of the reality of selective intervention by the United Nations Security Council also provide an opportunity for further research. The constantly changing political context in relation to these conflicts has proved to be a challenge during the 4 years that this project has taken to complete, but I am keen to continue my

research in relation to this particular geographical context, especially given the most recent political conflict between Russia and the United States that is reminiscent of the Cold War (see Borger, 2016). The motivations of the revolutionary protests in this region provide a significant challenge to the existing global order and in the most recent months, the actions of the Security Council in relation to Syria in particular have begun to publicly uncover the extent to which the United Nations is limited by the political interests of the permanent members of the Security Council.

Whilst the focus of this thesis is by the nature of doctoral research very particular, it has been undertaken in the hope of providing an original contribution to a bigger global project initiated by postcolonial theorists to challenge the existing global order. It is underpinned by the belief that the world that we live in is not the result of natural processes, of differential development across geographical spaces. It is not natural that wealth is concentrated in particular parts of the globe whilst other parts of the world suffer extreme levels of poverty. As such, this project is underlined by the same concerns that faced the world in the immediate years following decolonisation, that we cannot rely on the benevolence of the major powers of the world to deal with the unjust consequences of colonialism and that justice will only have a chance if we continue to struggle against those powers that have an interest in maintaining inequality (Nkrumah, 1965: xix).

This thesis has aimed to provide a challenge to this inequality by focusing on a very specific part of the problem. However, this is done on the basis that in order for international institutions such as the United Nations to truly act in the interests of the global population, it is necessary first to deal with the structures of inequality within them. It is necessary to look at their historical development and to acknowledge their relationship to the

broader global structures of inequality that were established through colonialism. The aim here has not been to argue that all international institutions are inherently problematic, but rather to argue that organisations that institutionalise the privilege of a small number of states will never be capable of acting in the interests of the global population.

'The danger to world peace springs not from the action of those who seek to end neo-colonialism but from the inaction of those who allow it to continue' (Nkrumah, 1965: 258).

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6. *Letter from Alger Hiss to Mrs Pandit*, May 11<sup>th</sup> 1945, United Nations Conference on International Organisation – Outgoing Letters – Minorities (S-0596-0009-0011), United Nations Archives.

7. *Letter from T.T McCrosky to Mr Patty, May 23<sup>rd</sup> 1945, United Nations Conference on International Organisation – Outgoing Letters – Minorities (S-0596-0009-0011), United Nations Archives.*
  
8. *Letter from T.T. McCrosky to Mr Batkus, May 6<sup>th</sup> 1945, United Nations Conference on International Organisation – Outgoing Letters – Minorities (S-0596-0009-0011), United Nations Archives.*
  
9. *Letter from T.T. McCrosky to Mr Ojike, May 30<sup>th</sup> 1945, United Nations Conference on International Organisation – Outgoing Letters – Negroes (S-0596-0009-0017), United Nations Archives.*
  
10. *Letter from T.T. McCrosky to Mrs Black, May 21<sup>st</sup> 1945, United Nations Conference on International Organisation – Outgoing Letters – Negroes (S-0596-0009-0017), United Nations Archives.*
  
11. *Remarks by Senator Connally, Delegate of the United States, at the Meeting of Commission III, June 20<sup>th</sup> 1945, United Nations Conference on International Organisation – Files by Country - United States UNCIO 1945 (S-0596-0008-0003), United Nations Archives.*
  
12. *Remarks of Delegate of Australia at Ninth Meeting of Committee III/I, May 17<sup>th</sup> 1945, United Nations Conference on International Organisation – Files by Country – Australia UNCIO 1945 (S-0596-0003-0001), United Nations Archives.*

13. *Summary of Fourth Meeting of Committee II/4*, May 14<sup>th</sup> 1945, United Nations Conference on International Organisation - Files by Country – United States UNCIO 1945 (S-0596-0008-0003), United Nations Archives.

14. *Summary Report of 19<sup>th</sup> Meeting of Committee III/1*, June 12<sup>th</sup> 1945, United Nations Conference on International Organisation – Secretary-General Speeches and Statements – Membership UNCIO 1945 (S-0596-0001-0010), United Nations Archives.

15. *Summary Report of Fourth Meeting of Committee III/3*, May 10<sup>th</sup> 1945, United Nations Conference on International Organisation – Files by Country - United States UNCIO 1945 (S-0596-0008-0003), United Nations Archives.