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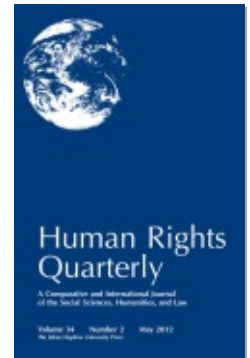
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**"We Had Been Fooled into Thinking that the UN Watches over the Entire World": Human Rights, UN Trust Territories, and Africa's Decolonization**

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Human Rights Quarterly, Volume 34, Number 2, May 2012, pp. 329-360  
(Article)

Published by The Johns Hopkins University Press  
DOI: [10.1353/hrq.2012.0022](https://doi.org/10.1353/hrq.2012.0022)



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# “We Had Been Fooled into Thinking that the UN Watches over the Entire World”: Human Rights, UN Trust Territories, and Africa’s Decolonization

*Meredith Terretta\**

## ABSTRACT

This article uses empirical evidence to engage recent scholarship on the historical place of human rights in decolonization. The case of the British and French Cameroons demonstrates that African nationalists and the Western anti-imperial human rights advocates who supported them viewed UN Trust Territories as the most politically and legally viable channel through which to address the human rights abuses particular to colonial rule. Yet, because of the political deformations arising out of decolonization, the transition to independence was accompanied by a widespread disappointment in the United Nations, the disintegration of collaborative, transregional activists’ networks, and a withering away of human rights ideas.

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Conversations and exchanges with Frederick Cooper, Keith David Watenpaugh, Andrew Ivaska, John S. Saul, and Abdoulaye Gueye aided in the conceptualization of this article, as did comments, suggestions, and queries posed by participants in a conference held at Emory University on Politics and Citizenship in the Postcolony (14–16 April 2011). Responsibility for the text remains the author’s. The author would like to thank the reviewers and editors at the *Human Rights Quarterly* for their helpful suggestions, ameliorations, and edits.

## I. INTRODUCTION

In recent years, several historians of post-war human rights have turned their focus to the intersection between human rights and decolonization to ask, among other things, whether anti-colonialism was a human rights movement. Some, like Roland Burke, have sought to demonstrate that political leaders of the Afro-Asian bloc drove the postwar human rights project throughout the 1950s in the forum of the United Nations.<sup>1</sup> Another school of thought, most notably articulated in Samuel Moyn's recent work, *The Last Utopia: Human Rights in History*, insists that human rights ideas played an insignificant role in anti-colonial movements for self-determination.<sup>2</sup> Moyn insists that even though anti-colonialists' most visible successes (i.e., political mobilization leading to decolonization) came in the era of the Universal Declaration of Human Rights (UDHR),<sup>3</sup> it was not until after the mid-1970s, when "collective self-determination . . . entered [a] crisis," that human rights ideology became a "plausible doctrine."<sup>4</sup> Finally, there are those who, like Fabian Klose, demonstrate that, excepting the Second World War, the grossest violations of human rights were those unleashed by colonial governments against anti-colonial nationalists.<sup>5</sup> Yet, although Klose acknowledges the importance of human rights to decolonization, he focuses more on the perspectives of colonial administrators and Western activists than he does on the ways in which colonial subjects themselves appropriated human rights talk in their quest for liberation.

Despite the potential of human rights history to serve as a new lens through which to historicize decolonization, the existing scholarship is characterized by a narrow and present-minded definition of human rights. Moyn's account suggests that for Third World states on the brink of independence, self-determination took precedence over a notion of universal human rights.<sup>6</sup> If Third World politicians invoked human rights at all, and Moyn writes that they did so infrequently, it was only as a discursive political strategy to achieve national sovereignty.<sup>7</sup> If and when the notion of universal human rights threatened or compromised Third World leaders' newly or

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1. ROLAND BURKE, *DECOLONIZATION AND THE EVOLUTION OF INTERNATIONAL HUMAN RIGHTS* 1–2 (2010).
  2. SAMUEL MOYN, *THE LAST UTOPIA: HUMAN RIGHTS IN HISTORY* 84–119 (2010).
  3. Universal Declaration of Human Rights, adopted 10 Dec. 1948, G.A. Res. 217A (III), U.N. GAOR, 3d Sess., U.N. Doc. A/RES/3/217A (1948).
  4. *Id.* at 87. See also Jan Eckel, *Human Rights and Decolonization: New Perspectives and Open Questions*, 1 HUMANITY: AN INT'L J. HUM. RTS. HUMANITARIANISM & DEV. 111 (2010).
  5. FABIAN KLOSE, *MENSCHENRECHTE IM SCHATTEN KOLONIALER GEWALT: DIE DEKOLONISIERUNGSKRIEGE IN KENIA UND ALGERIEN 1945–1962* [HUMAN RIGHTS IN THE SHADOW OF COLONIAL VIOLENCE: THE DECOLONIZATION WARS IN KENYA AND ALGERIA 1945–1962] (2009); Fabian Klose, "Source of Embarrassment": *Human Rights, State of Emergency, and the Wars of Decolonization*, in HUMAN RIGHTS IN THE TWENTIETH CENTURY 237–57 (Stefan-Ludwig Hoffmann ed., 2011).
  6. MOYN, *supra* note 2.
  7. *Id.* at 117.

soon-to-be acquired territorial sovereignty, they were quickly swept under the political rug.

Although less problematic conceptually, Burke's account overlooks the most crucial interstices in which human rights and their application in the colonial setting were conceived, discussed, and defined. Burke ignores the Fourth Committee of the United Nations, the UN Trusteeship Council, the UN Trust Territories, and the activities of the earliest anti-colonial human rights NGOs, including the New York-based International League of the Rights of Man (ILRM), the American Committee on Africa (ACOA), and the Movement for Colonial Freedom (MCF) centered in London. Inventorying only those petitions sent to the United Nations Third Committee, the one presiding over human rights, Burke devotes an entire chapter to a discussion of the UN's failure to process petitions sent from colonial territories until 1960. Beginning in 1947, however, the UN Trusteeship Council received thousands of petitions from inhabitants of UN Trust Territories—some 45,000 petitions from the French and British Cameroons during the year of 1956 alone.<sup>8</sup> Burke entirely omits an analysis of the petitions referencing human rights on record at the United Nations from the late 1940s to 1960 and thus disregards an essential part of the history of petitioning the United Nations.<sup>9</sup>

The empirical data upon which these historians rely have lent their studies a top-down quality that obfuscates the agency of anti-colonial activists who *did* invoke human rights as a way of delegitimizing colonial rule. The new human rights histories exclude the narrative accounts of grassroots activists in favor of official state documents, UN resolutions, or the letters, speeches, and writings of elected office-holders, UN representatives, and colonial administrators. As a result, existing histories of the relationship between human rights and decolonization have missed the networks, discussions, correspondence, and documentation that were at the crux of anti-colonial activists' invocation of human rights ideology. But how far can we go in examining human rights and decolonization in the Afro-Asian bloc without contextualizing the particular settings in which human rights discourses were invoked?<sup>10</sup> And why, given the objective of human rights ideology to give voice to the disenfranchised, should we focus our histories of their role in decolonization solely upon state actors at the highest echelons of formal political processes?

This close-up history of decolonization in the UN Trust Territories of the British and French Cameroons demonstrates that Africa's UN Trust Territories were pivotal sites for the conception and definition of human rights

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8. JANVIER ONANA, *LE SACRÉ DES INDIGÈNES ÉVOLUÉS: ESSAI SUR LA PROFESSIONALISATION POLITIQUE (L'EXEMPLE DU CAMEROUN)* 228 (2004).

9. BURKE, *supra* note 1, at 59–91.

10. FREDERICK COOPER, *COLONIALISM IN QUESTION: THEORY, KNOWLEDGE, HISTORY* 17 (2005).

activism after the Second World War. In fact, by the late 1940s, African anti-colonial activists as well as the anti-imperial human rights advocates who supported them in the West understood that the UN Trust Territories provided the most politically and legally viable channel through which to address the human rights abuses peculiar to colonial rule.<sup>11</sup> Collaboratively, African and European or American anti-colonial activists defined the ideology and the practice of human rights as a liberation strategy in the age of Africa's decolonization. Piece by piece, activists put in place a network of affiliations linking the earliest NGOs, such as the ILRM, with anti-colonial nationalist movements, such as the Union des Populations du Cameroun (UPC), which demanded both political autonomy from foreign rule and the implementation of human rights as delineated in the UN Charter, the UN Trusteeship Agreement, and the UDHR. The definition of human rights and the strategies devised for their implementation emerged as a result of African nationalists' belief in the United Nations as an arbiter of world affairs, a belief that was especially prevalent in UN Trust Territories.<sup>12</sup>

Yet, as the trusteeship period drew to a close in the late 1950s, Cameroonian nationalists began to feel less optimistic about the role the United Nations would play in their quest for independence from European rule.<sup>13</sup> In the words of Félix Kom, a nationalist writing from the British Cameroons in late 1958: "We had been fooled into thinking that the UN watches over the entire world, but now we come back to our certainty that the two French and British authorities are the ones who watch over subordinate nations."<sup>14</sup> Because the United Nations proved unable to uphold the legal, moral, and ethical principles in the legislative documents applicable to Trust Territories, the history of the Cameroons' decolonization explains Cameroonians' widespread disappointment in the United Nations as well as a withering away of human rights ideas that had, for a few years, played such a large part in the

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11. New York Public Library [NYPL], Rare Books and Manuscripts Division, International League of the Rights of Man [ILRM], Box 5, File: American Committee on Africa (1953–1959), Roger Baldwin to George M. Houser, 25 May 1952; NYPL, ILRM Box 7, File: Movement for Colonial Freedom (1953–1956), Roger Baldwin to Douglas Rogers, Congress of Peoples Against Imperialism, 2 July 1953; NYPL, ILRM Box 7, File: Movement for Colonial Freedom (1953–56), Roger Baldwin to Douglas Rogers, re: Executions in North Africa, 25 May 1954.
  12. For a historical account of African nationalists' use of human rights talk in the UN Trust Territory of Tanganyika, see ULLRICH LOHRMANN, *VOICES FROM TANGANYIKA: GREAT BRITAIN, THE UN, AND THE DECOLONIZATION OF A TRUST TERRITORY 1946–1961*, at 526–31 (2007).
  13. The dashed hopes held by subject populations in non-self-governing territories paralleled those of African Americans who had expected the United Nations to intervene on their behalf to put an end to human rights abuses and racial discrimination. See ROGER NORMAND & SARAH ZAIDI, *HUMAN RIGHTS AT THE UN: THE POLITICAL HISTORY OF UNIVERSAL JUSTICE* 163–66 (2008).
  14. NYPL, ILRM Box 1, File: Cameroon (1958 Sept.–Dec.), Folder 3, Petition from Kom Félix, Secretary for the Bureau de Séance, 12 Sept. 1958.

popular nationalist movement. In positing the Trust Territories as a birthplace of the postwar international human rights project, this article provides the historical context within which postcolonial African states' later resistance to signing on to the UDHR, a characteristic often noted,<sup>15</sup> should be understood. It also presents Cameroon's decolonization as a part of the history of transformation of the global human rights project into an "antipolitical" concept reifying the rights of the individual over the collective, often at the cost of individual and collaborative political agency.<sup>16</sup>

The article that follows begins by (re)defining the term activist in the postwar global context. While many of the recent works on human rights and decolonization use "activist" as a synonym for "successful political leader," and focus on actors in official politics,<sup>17</sup> this work views the activist as an advocate of a cause—and shows that human rights ideology became the most meaningful in grassroots political processes. After briefly setting the historical and political stage of the Cameroon Trust Territories on the eve of independence, the second section of the article explores the relationship between self-determination and human rights during Africa's decolonization by chronicling the specific actions of the UPC and the ILRM. The third section addresses the paradox of a nationalist movement that, after its proscription in French Cameroun in 1955 and in the British Cameroons in 1957, increasingly referenced human rights even as it adopted violence as a political strategy. The article ends by showing what became of human rights ideology after Cameroon's official independence. Human rights activists before independence were often the politicians excluded from the political arena as the postcolonial Cameroonian government, economically, politically, and militarily supported by departing French administrators, moved towards a single party state, which was established in 1966.

## II. HUMAN RIGHTS ACTIVISTS DURING THE ERA OF DECOLONIZATION

In making the point that human rights never turned into an important anti-colonial ideology, historian Jan Eckel cites the number of "political activists"

who simply did not refer to human rights, including figures as different as the first Indian president, Jawaharlal Nehru, the Vietnamese resistance leader Ho

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15. See, e.g., Florence Bernault, *What Absence Is Made Of: Human Rights in Africa*, in *HUMAN RIGHTS AND REVOLUTIONS* 127, 137 (Jeffrey N. Wasserstrom, Lynn Hunt & Marilyn B. Young eds., 2000); Andreas Eckert, *African Nationalists and Human Rights, 1940s–1970s*, in *HUMAN RIGHTS IN THE TWENTIETH CENTURY*, *supra* note 5, at 283, 283–300.
  16. See Wendy Brown, "The Most We Can Hope For . . .": *Human Rights and the Politics of Fatalism*, 103 *S. ATLANTIC Q.* 451, 462 (2004).
  17. See, e.g., Eckel, *supra* note 4.

Chi Minh, Seko [sic] Touré, the Guinean exponent of Marxist authoritarianism, or Léopold Sédar Senghor, the Senegalese philosopher-statesman who developed the concept of an African cultural identity.<sup>18</sup>

In the “bewildering mélange of ideas” put forward by this motley ensemble of postcolonial leaders, Eckel continues, “the only reference point all authors had in common was the fairly abstract notion of the ‘colonial experience.’”<sup>19</sup> Not human rights, but “anticolonialism, anti-neocolonialism, anti-imperialism, anti-racism, anti-discrimination, and anti-apartheid were the foremost political catchwords of the speeches and pamphlets, providing the anticolonial movement with what little unity it had.”<sup>20</sup> A number of methodological and conceptual questions arise upon reading this brief assessment of postcolonial governance across so vast an area (Africa and Asia) based upon the writings of the few heads of state Eckel portrays as “activists” in “the anticolonial movement.”<sup>21</sup> Many African statesmen, Senghor in particular, did worry that territorially based independence might make it difficult to preserve the notion of the Rights of Man as enumerated in the French declaration of 1789, given the temptations of dominant parties to exercise full control within the bounds of national sovereignty. Senghor therefore argued for vesting rights in a supra-national confederal structure of equal nations; but of course the short-lived plan fell short.<sup>22</sup> Unfortunately a number of African heads of state did make true on Senghor’s prophecy and ended up fitting the image Eckels paints with so broad a brush.<sup>23</sup> But the essential question here is this: Are these postcolonial leaders, whom Eckel by turn refers to as “activists” and “authors,” really the human rights activists the researcher should consider first when examining the role of human rights in decolonization?

A brief survey of the actors who sought to apply human rights principles in UN Trust Territories paints a very different picture of 1950s human rights activists who also advocated for political independence from colonial rule. Among them were European men and women such as: Dr. Sabina Gova, a German-speaking art historian Holocaust survivor in exile who became the Vice-Chairman of the Speakers Research Committee for the United Na-

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18. *Id.* at 115.

19. *Id.*

20. *Id.*

21. *Id.* (emphasis added).

22. Frederick Cooper, *Possibility and Constraint: African Independence in Historical Perspective*, 49 J. Afr. Hist. 167 (2008); Frederick Cooper, *Citizenship and the Politics of Difference in French Africa, 1946–1960*, in *EMPIRES AND BOUNDARIES: RETHINKING RACE, CLASS, AND GENDER IN COLONIAL SETTINGS* 107 (Harald Fischer-Tiné & Susanne Gehrmann eds., 2009).

23. Andreas Eckert, *African Nationalists and Human Rights, 1940s–1970s*, in *HUMAN RIGHTS IN THE TWENTIETH CENTURY*, *supra* note 5, at 283–300; FREDERICK COOPER, *AFRICA SINCE THE 1940S: THE PAST OF THE PRESENT* 197–198 (2002).

tions; Fenner Brockway, British MP, pacifist, and founder of a number of nongovernmental organizations against imperialism, the most successful of which was the Movement for Colonial Freedom, formed in London in 1953; and Keith Irvine, a writer of British origin who attended secondary school at Achimota College in the Gold Coast and continued his post-secondary studies at the Universities of London, Manchester, Edinburgh, and at the Sorbonne in Paris before moving to New York in 1952 and becoming editor of *Africa Today* and *Africa Weekly*.<sup>24</sup> The Americans included George M. Houser, Methodist minister, pacifist, and member of the Fellowship of Reconciliation (FOR) and of the Committee of Racial Equality (CORE) who founded the ACOA in the early 1950s; and George W. Shepherd, a political scientist who obtained his PhD from the London School of Economics and traveled to Uganda in 1951 to support Ignatius Kangave Musaza's Federation of Partnerships of Uganda African Farmers.<sup>25</sup>

Anti-imperial human rights activists of American and European origin worked closely with hundreds of African nationalists from the UN Trust Territories, such as: Kirilo Japhet, a Tanganyikan coffee planter and petitioner on behalf of Meru populations in the late Trusteeship period;<sup>26</sup> Ndeh Ntumazah, the President of One Kamerun from the Grassfields region of British Cameroons; Felix Moumié, the exiled President of the UPC, from French Cameroun; and Mburumba Kerina of South West Africa, who spoke at the UN on behalf of the populations of South West Africa.<sup>27</sup> The lawyers who

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24. Gabriele Hofner-Kulenkamp, *Kennen Sie Sabine Gova? Deutschsprachige Kunsthistorikerinnen im Exil*, 22 *Kritische Berichte*, No. 4 1994, at 34; Sabine Gova, *What I Saw in North Africa*, *AFRICA TODAY*, Sept.–Oct. 1955, at 9–10; Sabine Gova, *Reconstructing a Society*, *AFRICA TODAY*, Jan. 1964, at 13–16; STEPHEN HOWE, *ANTICOLONIALISM IN BRITISH POLITICS: THE LEFT AND THE END OF EMPIRE, 1918–1964* (1993); Obituary, *M. Keith Irvine, Writer and Africa Expert*, 69, *N.Y. TIMES*, 15 Mar. 1994, available at <http://www.nytimes.com/1994/03/15/obituaries/m-keith-irvine-writer-and-africa-expert-69.html>; Joel Foreman, *Mau Mau's American Career, 1952–57*, in *THE OTHER FIFTIES: INTERROGATING MID-CENTURY AMERICAN ICONS* 78, 83 (Joel Foreman ed., 1997).
25. GEORGE M. HOUSER, *NO ONE CAN STOP THE RAIN: GLIMPSES OF AFRICA'S LIBERATION STRUGGLE* 12, 63–64, 110, 112 (1989); Carol Anderson, *International Conscience, the Cold War, and Apartheid: The NAACP's Alliance with the Reverend Michael Scott for South West Africa's Liberation, 1946–1951*, 19 *J. WORLD HIST.* 297 (2008); Buaglu Ndugga Musazi, *The Untold Story of I. K. Musazi's Shepherd*, *NEW VISION*, 3 OCT. 2007, available at <http://www.newvision.co.ug/D/8/459/589942>. Historian Brenda Gayle Plummer describes Cold War-era US anti-colonial organizations, which cautiously advocated African independence without fundamentally challenging Western hegemony, as representative of a new, “centrist liberalism” based not on a Marxist critique of imperialism, but on a Gandhist and Christian pacifism. Although NGOs like the ACOA attempted to build an interracial momentum, their structures “ensured that large numbers of Afro-Americans would not join” them. See BRENDA GAYLE PLUMMER, *RISE WIND: BLACK AMERICANS AND US FOREIGN AFFAIRS, 1935–1960*, at 232–35 (1996).
26. LOHRMANN, *supra* note 12, at 18.
27. LINUS ASONG & SIMON NDEH CHI, *NDEH NTUMAZAH: A CONVERSATIONAL AUTO BIOGRAPHY* (2010). On Moumié, see RICHARD A. JOSEPH, *RADICAL NATIONALISM IN CAMEROUN: SOCIAL ORIGINS OF THE U.P.C. REBELLION* (1977); Meredith Terretta, *Cameroonian Nationalists Go Global: From*



represented African activists included Ralph Millner, British Barrister-at-Law and member of the International Association of Democratic Lawyers, Dudley J. Thompson, Jamaican Pan-Africanist who began practicing law in Kenya and Tanganyika in the 1950s, and Robert Delson, Esq., of Delson, Levin & Gordon, General Counsel for the Brotherhood of Sleeping Car Porters and legal counsel to the Republic of Indonesia.<sup>28</sup>

One major point of convergence for the human rights activists who turned their focus on the fight against colonialism in the 1950s was the ILRM. Although formed in 1941, the New York-based NGO's human rights agenda began to coalesce at the 15 September 1948 meeting of the UN General Assembly to discuss the creation of an International Declaration of the Rights of Man.<sup>29</sup> The ILRM chairman, Roger Baldwin, founder and long-term activist with the American Civil Liberties Union, spent the early 1950s seeking experts to provide the League with information about the situations of greatest concern,<sup>30</sup> affiliating with nationalist movements in colonial territories, and defining the organization's role in its consultative status with the United Nations.<sup>31</sup> Baldwin also created linkages between similarly minded human rights NGOs—those that espoused “the widest possible understanding and acceptance of the International Covenants of Human Rights.”<sup>32</sup> Based on

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*Forest Maquis to a Pan-African Accra*, 51 J. AFRICAN HIST. 189 (2010); Elizabeth S. Landis, *UN Stepchildren*, AFRICA TODAY, Jan.–Feb. 1958, at 19.

28. NICK BLAKE & HARRY RAJAK, WIGS AND WORKERS: A HISTORY OF THE HALDANE SOCIETY OF SOCIALIST LAWYERS, 1930–1980, at 42 (1980); DUDLEY J. THOMPSON, FROM KINGSTON TO KENYA: THE MAKING OF A PAN-AFRICANIST LAWYER (1993); NYPL, ILRM Box 6, File: General Correspondence: Delson, Robert, (1950–1960), Press Release, 13 Apr. 1951; NYPL, ILRM Box 7, File: Movement for Colonial Freedom, 1953–1956, Douglas Rogers to Roger Baldwin, 2 July 1953; NYPL, ILRM Box 1, File: Cameroon (1959–60), Folder 4, Afroasiaco to ILRM, 27 Aug. 1959.
29. On the League's formation, see Roger S. Clark, *The International League for Human Rights and South West Africa, 1947–1957: The Human Rights NGO as Catalyst in the International Legal Process*, HUM. RTS. Q., Nov. 1981, at 101. On the 1948 meeting, see NYPL, ILRM, Box 1, Président de la Ligue française pour la défense des droits de l'Homme to Roger Baldwin, 28 June 1948. On René Cassin and the Ligue française, see Glenda Sluga, *René Cassin: Les Droits de l'Homme and the Universality of Human Rights, 1945–1966*, in HUMAN RIGHTS IN THE TWENTIETH CENTURY, *supra* note 5, at 107.
30. NYPL, ILRM, Box 5, File: American Committee on Africa (1953–1959), Roger Baldwin to George M. Houser, 25 May 1952; NYPL, ILRM, Box 9, File: Advisory Committee and Board of Directors, 1948–1952; NYPL, ILRM, Box 9, File: Advisory Committee and Board of Directors, 1957–1958, F. Zimmerman to Clyde Egleton, 3 Jan. 1957; F. Zimmerman to Director, Africa House, 3 Jan. 1957; Roger Baldwin to Dr. James J. Robinson, 27 Apr. 1959.
31. NYPL, ILRM, Box 8, File: UN, Human Rights, Commission on, 1954.
32. NYPL, ILRM, Box 8, File: UN, Human Rights, Commission on, 1954, Roger Baldwin to various NGOs interested in human rights movements, 29 Dec. 1954; Brief working paper for examination by NGO representatives concerned with the widest possible understanding and acceptance of the International Covenants of Human Rights, 27 Nov. 1954; Memorandum submitted to the sub-committee on communications of the Commission on Human Rights on behalf of the ILRM and associated NGOs, 12 Jan. 1954.

his letters to UN representatives and other activists, it is clear that Baldwin considered political freedom, and “complete freedom of speech, press, and organization” to constitute essential human rights that administering authorities of UN Trustships were bound to protect.<sup>33</sup>

Baldwin was convinced that the UN Trust Territories provided the ideal legal and political opening through which to address the human rights abuses that accompanied colonial rule.<sup>34</sup> His advice to ACOA director, George Houser, in 1952 revealed that Baldwin believed in taking directives from Trust Territory populations and serving as their intermediary before the UN: “The main point is to keep in touch with the UN secretariat and to see exactly what issues arise and how, and then to get in touch with people who raise them in African countries and see what we can do to help.”<sup>35</sup> He insisted that activists seeking to make an impression on public opinion take “action on specific issues of immediate concern” rather than speak or write on “the general problem.”<sup>36</sup> He eschewed the organization’s association with communist agencies, even if they did share similar commitments to human rights and anti-colonialism.<sup>37</sup>

Together, NGO activists and African nationalists from Trust Territories began to use the United Nations as a forum through which to penetrate the barriers of national sovereignty carefully protected by the UN Charter and to speak directly to an international audience.<sup>38</sup> But this only became possible as a result of the precedent set in 1947 when Sylvanus Olympio of French Togo became the first African politician from a Trust Territory to appear personally before the General Assembly.<sup>39</sup> Thereafter, “political leaders and spokesmen from Somaliland, the French Cameroons, and Tanganyika” regularly addressed the General Assembly.<sup>40</sup> The same year, Reverend Michael Scott, a renegade Anglican priest of British origin residing in Tobruk, an African shantytown just outside Johannesburg, became the first nongovernmental representative to speak at the UN on behalf subject populations.<sup>41</sup> He described the hard-

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33. NYPL, IIRM, Box 1, File: Cameroon (1958 Jan.–Aug.), Folder 2, Roger Baldwin to Guillaume Georges-Picot, Permanent Representative of France to the UN, 22 Oct. 1958; *Id.* Folder 2, Roger Baldwin and Donald Harrington to members of the Fourth Committee, UN General Assembly, 3 Dec. 1957.

34. NYPL, IIRM, Box 5, File: American Committee on Africa (1953–1959), Roger Baldwin to George M. Houser, 25 May 1952; Box 7, File: Movement for Colonial Freedom (1953–1956), Roger Baldwin to Douglas Rogers, Congress of Peoples Against Imperialism, 2 July 1953; NYPL, IIRM Box 7, File: Movement for Colonial Freedom (1953–56), Roger Baldwin to Douglas Rogers, re: Executions in North Africa, 25 May 1954.

35. NYPL, IIRM, Box 5, File: American Committee on Africa (1953–1959), Roger Baldwin to George M. Houser, 25 May 1952.

36. *Id.*

37. NYPL, IIRM, Box 7, File: Movement for Colonial Freedom (1953–1956), Roger Baldwin to Fenner Brockway, 24 Nov. 1953.

38. On this point, see Anderson, *supra* note 25, at 298, 308.

39. *The Right to Petition*, AFRICA TODAY, Jan.–Feb. 1958, at 10, 13.

40. *Id.*

41. Anderson, *supra* note 25, at 303, 311.

ships of the Herero, Berg-Damara, and Nama populations of South West Africa just as the Union of South Africa expressed its intent to annex the territory.<sup>42</sup> Appearing every two years before the General Assembly's Fourth Committee, which presided over matters relating to colonialism, Scott, tirelessly aided by leaders of the ILRM and the NAACP, eventually persuaded the UN body to vote in November 1951 to invite the traditional leaders of the Hereros, Namas, and Berg-Damaras to speak before the Committee as representatives of the indigenous peoples of South West Africa.<sup>43</sup> The Union of South Africa government refused passports to the delegation of traditional chiefs, thereby preventing them from traveling.<sup>44</sup> But the Fourth Committee's vote opened the door to allowing nongovernmental representatives of "the indigenous peoples" of other territories to address the General Assembly. It was a precedent upon which Cameroonian nationalists would build in order to be heard in the international forum of the United Nations.

### III. THE FRENCH AND BRITISH CAMEROONS, UPC NATIONALISM, AND THE ILRM

Soon after a group of trade unionists and members of Marxist study circles formed the nationalist party, the UPC, in Douala in April 1948, *upécistes* (as UPC nationalists called themselves) began to send written petitions to the United Nations.<sup>45</sup> The written petitions on record afforded UPC Secretary-General Ruben Um Nyobé and Abel Kingue, the president of the *Jeunesse Démocratique du Cameroun* (JDC), the UPC's affiliated youth wing, the right to be heard before the UN General Assembly's Fourth Committee.<sup>46</sup>

42. *Id.* at 299, 311, 315–22. See also CLARK, *supra* note 29, at 109–10, 114.

43. Anderson, *supra* note 25, at 314–16, 321–22.

44. *Id.* at 323.

45. My purpose in this article is not to recount a political history of the UPC, but rather to emphasize its leaders' and members' use of human rights ideas. For the standard political history of the UPC nationalist movement in French Cameroun from 1948–1956, see JOSEPH, *supra* note 27. For a classic approach focused mostly on "formal" politics, see VICTOR T. LE VINE, *THE CAMEROONS FROM MANDATE TO INDEPENDENCE* (1964). Revisionist histories from various disciplinary perspectives have proliferated, beginning with ACHILLE MBEMBE, *LA NAISSANCE DU MAQUIS DANS LE SUD-CAMEROUN: 1920–1960* (1996). See also ONANA, *supra* note 8.

46. The precedent of granting a petitioner to the Trusteeship Council (a body under the purview of the Fourth Committee) an oral hearing before the Fourth Committee of the UN General Assembly was established in 1949. Clark, *supra* note 29, at 108–09 and 113–15. The UN Charter provided the basis for hearing petitioners from Trust Territories. They could only be heard, however, after having filed a written petition with the Council. See U.N. Charter art. 87, ¶ b, *signed* 26 June 1945, 59 Stat. 1031, T.S. No. 993, 3 Bevans 1153 (*entered into force* 24 Oct. 1945); Rules of Procedure of the Trusteeship Council as Amended Up To and During Its 29th Session, *adopted* 23 Apr. 1947, U.N. GAOR, Trusteeship Council, 1st Sess., 22d mtg., R. 87–90, U.N. Doc. T/1/Rev.6 (1962).

In December 1951, Um Nyobé and Kingue traveled to New York for the first time, under a class C visa, the same restricted visa granted to Michael Scott, which allowed them only to go between the Tudor Hotel and the UN building for daily meetings. Harlem was specifically off-limits. Kingue and Um Nyobé found the weather unsupportable and rarely ventured outside, save to attend the Fourth Committee meetings. They also attended ILRM and the ACOA meetings, where they met Olympio, the future first president of Togo who was, at the time, the head of the *Comité de l'Unité Togolais*, the Togolese nationalist party affiliated with the ILRM.<sup>47</sup>

As political leaders traveled to New York to address the Fourth Committee, the number of petitions sent to the UN Trusteeship Council increased, prompted in part by the questions of member state representatives. When Um Nyobé spoke in December 1953, Fourth Committee members challenged his portrayal of the UPC as the political party with the largest popular base, wondering why if this were so UPC candidates were unable to win at the polls when the territorial assembly elections were held in 1952.<sup>48</sup> Indian representative Mrs. Menon asked "whether women showed an interest in the country's political life and what part they took in the movement."<sup>49</sup> Upon returning to French Cameroun after his 1953 visit to the United Nations, Um Nyobé encouraged petitioning at the level of UPC, JDC, and *Union démocratique des femmes camerounaises* (UDEFEC) local committees throughout the territory<sup>50</sup> and the visibility of women increased markedly in UN records. Although the Trusteeship Council only processed and responded to sixteen petitions in 1951, that number leapt to 505 in 1955, and continued to grow.<sup>51</sup>

Beginning in 1948 as the UPC grew in popularity, Cameroonian nationalists, whether party leaders or rank and file members of the UPC and its affiliates, became increasingly familiar with the political and legal implications of the Cameroon territories' status as UN Trusteeships rather than colonies. The UPC's political platform was inextricably linked to the political liberties and human rights outlined in the UN Charter and the UDHR. Ruben Um Nyobé, Secretary-General and spokesperson of the party until his assassi-

47. Centre d'Archives d'Outre-Mer [CAOM], Affaires Politiques 3335/1, Lassalle, Bureau de Documentation de l'AEF-Cameroun, Brazzaville, n.d. (apparently mid-1955).

48. *Report of the Trusteeship Council*, 5 Dec. 1953, U.N.GAOR, 8th Sess., 393d mtg., ¶¶ 33, 39, U.N. Doc. A/C.4/SR.393 (1954). Um Nyobé explained that electoral results had been challenged in ten out of nineteen districts and declared void in three districts. Fearing a UPC victory, the administration had been reluctant to hold elections again. At the 1953 meeting, Um Nyobé presented the Committee with photographs of assembled crowds at public meetings as proof of the movement's popularity.

49. *Id.* ¶ 51.

50. Interview with Marie-Irène Ngapeth-Biyong, Secretary-General of UDEFEC at its inception, in Yaoundé, Cameroon (6 July 1999).

51. MEREDITH TERRETTA, CAMEROONIAN WOMEN, THE ACT OF PETITIONING, AND THE CREATION OF A POPULAR NATIONALISM, 1949–1960 (2004).

nation in September 1958,<sup>52</sup> emphasized the promise of self-determination articulated in Article 76 of the UN Charter and believed that the UN General Assembly, a forum of international consensus, would set a target date for Cameroon's decolonization.

Instead, as its membership reached 100,000 out of a total electorate of 747,000 in French Cameroun in 1955,<sup>53</sup> French administrators painted the UPC and its affiliates as a communist movement, harassed and imprisoned *upécistes*, and dispersed their assemblies by force. On 13 July 1955, after planned *upéciste* uprisings in French Cameroun's urban areas in late May, the UPC became the first political party to be proscribed in a UN Trust Territory. The proscription made the nationalist parties illegal in time for the French administration to prepare for the territorial elections of December 1956—the first in which universal suffrage would apply—that would permit Cameroonians to elect their representatives to the assembly, the state's future legislative body. In this election of the political leaders who would preside over French Cameroun's decolonization, *upécistes* were denied participation as both candidates and voters.<sup>54</sup> No further territorial elections were held in French Cameroun, nor was a constitution put in place, until after official independence on 1 January 1960.<sup>55</sup>

The year after the French administration banned the UPC, a greater number of petitions were sent than the Trusteeship Council could process and answer. By February 1956, the Trusteeship Council had received 20,000 petitions from the French Cameroun alone.<sup>56</sup> Within ten days, an additional 15,000 petitions arrived.<sup>57</sup> Trusteeship Council members adopted a new procedure of sorting the petitions from the Cameroon territories, summarizing the complaints and allegations therein, and responding to petitions topically, rather than individually.<sup>58</sup>

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52. For a biographical sketch of Ruben Um Nyobé and an account of his execution, see J.-A. MBEMBE, *LE PROBLÈME NATIONAL KAMERUNAIS* 18–25 (1984).
  53. CAOM, *Affaires Politiques*, 3335/1, *Propagande et Action Psychologique des Groupements Extrémistes au Cameroun*, n.d. (apparently 1955).
  54. The history of the proscription of the UPC the year before the 1956 elections is well documented. See JOSEPH, *supra* note 27; LE VINE, *supra* note 45. For a more recent account, see ONANA, *supra* note 8.
  55. For the UN decision at the General Assembly meeting in 1959, see *Talking Drums: Commentary on African Affairs*, *AFRICA TODAY*, Mar.–Apr. 1959, at 3–6, 21. On Cameroon's decolonization and nation-building process more broadly, see JEAN-FRANÇOIS BAYART, *L'ÉTAT AU CAMEROUN* (1985).
  56. NYPL, ILRM, Box 9, File: UN-TC (1954–1956), Frances R. Grant, ILRM Secretary to Dr. Benjamin Cohen, Under-Secretary, UN Trusteeship Council, 10 Feb. 1956.
  57. NYPL, ILRM, Box 9, File: UN-TC (1954–1956), Dr. Benjamin Cohen to Frances R. Grant, 20 Feb. 1956.
  58. *Id.*; *Examination of Petitions: Statement by the Under-Secretary*, U.N.TCOR, U.N. Doc. T/PV.663/33 (1956).

Beginning in 1956, as *upécistes* from French territory reorganized in the British Cameroons and the number of petitions spiked so significantly, references to human rights and to the UDHR appeared more frequently as petitioners included more specific details—names, dates, locations, and even time of day—as though memorializing events for legal purposes. For example, one petitioner wrote that “to be found in possession of a book issued by the UN is regarded as a crime in our Trust territory,” and described the arrest of Mr. Sipoufo Kemga Gaspard “in a train at 4:40 pm on 5 August 1956 by Gerard Prestat, Chief Subdivision Officer of Mbanga.” The arresting officer “snatched from him a book entitled Universal Declaration of Human Rights and burned it.”<sup>59</sup> A petition from Marguerite Madefo requested copies of “the UN Charter, the Trusteeship Agreement for East Kamerun, the Trusteeship Agreement for West Kamerun, the Universal Declaration of Human Rights, and the rules of procedure of the General Assembly, to enable me to know better my country’s international position.”<sup>60</sup> Although the British administration proscribed the UPC in the British Cameroons in June of 1957 and deported thirteen members of its Directors’ Committee to Sudan, from whence they began a peripatetic exile that lasted for many years,<sup>61</sup> Cameroonian nationalists, wherever they were, continued to send petitions to the United Nations and missives to the ILRM in New York.

Burke claims that “petitions languished [at the UN] until the 1960s, when they began to advance the struggle against apartheid, European colonialism, and racial discrimination.”<sup>62</sup> Indeed, one might note the Trusteeship Council’s tepid response to the tens of thousands of petitions it received throughout the 1950s and dismiss their importance. Yet they reveal several crucial things about decolonization era political processes and popular understandings of both the United Nations and of human rights. First, as *upécistes* were denied access to formal politics, they pursued a number of alternative means to influence the territories’ political future; petitioning was one of these. As legal historian Gregory Mark argues, “Understood properly, [the history of petitions] tells us about popular participation in politics, especially by disenfranchised groups [. . .] that have remained invisible because of our contemporary fixation on voting as the measure of political

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59. *Petition from Mrs. Geneviève Magappo Concerning the Cameroons Under French Administration: Magappo Geneviève, Housewife, Babété, Mbouda, Bamileke Region, c/o Central Council of UDEFEC, Kumba, Kamerun [sic] Under British Administration, 3 December 1956*, U.N.TCOR, U.N. Doc. T/PET.5/L.320 (1957).

60. *Petition from Mrs. Marguerite Madefo Concerning the Cameroons Under British Administration and the Cameroons Under French Administration, 9 July 1959*, U.N.TCOR, U.N. Doc. T/PET.4 & 5/46 (1959).

61. For a history of *upécistes* in exile, see Terretta, *Cameroonian Nationalists Go Global*, *supra* note 27.

62. BURKE, *supra* note 1, at 60.

participation.”<sup>63</sup> Secondly, even if the petitions seem to have served no immediate political purpose—the United Nations did not decide to amnesty political prisoners in Cameroon, restore the nationalist party to legality, or organize elections under its supervision as *upécistes* had hoped—their importance in the collective imaginary of Cameroonian anti-colonial activists must not be underestimated.<sup>64</sup> Although the principles outlined in the UN Charter and the UDHR were not applied during the late Trusteeship period in Cameroon, Cameroonian petitioners did believe in them and hope that they might be implemented.

The petitions and the ILRM correspondence also tell us something about the identity and desires of anti-colonial activists who never occupied a formal position in government or became known players in territorial politics. They included seamstresses, taxi-drivers, market traders, and farmers—the women of UDEFEC, young people of the JDC, and urban and rural inhabitants. The petitions and correspondence thus provide us with so many snapshots of the grassroots activists who applied human rights principles to their quest for liberation from European rule. Petitioners identified themselves by name and occupation.

Perhaps of greatest importance to the post-war history of human rights, petitioning the United Nations brought African nationalists to New York where many of them entered into contact with ILRM activists and with nationalists from other territories. Like the All-African People’s and Afro-Asian Solidarity Conferences in the latter half of the 1950s, the United Nations and the ILRM connected like-minded anti-colonialists. The collaboration of petitioners, whether of African, European, or American origin, gave shape to human rights ideology in the context of decolonization by defining the issues of greatest concern, designing media campaigns and lobbying efforts, and generating political pressure that would address those concerns. The foundation for a global network of human rights activists was laid as activists exchanged information, using each other’s movements to build and define their own. The activists’ transregional network became strongest in the UN Trust Territory framework that provided for the appearance of petitioners before the United Nations. A contemporary observer, writing for *Africa Today* in 1958, stated that the right of petition gave “the International Trusteeship System its most dramatic and perhaps its most effective moments,” and had an effect on decolonization in a broader sense as well: “There can be no question that these perennial voices from Africa have influenced the recent course of

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63. Gregory Mark, *The Vestigial Constitution: The History and Significance of the Right to Petition*, 66 *FORDHAM L. REV.* 2153 (1998).

64. Moyn states that “the specific appeal to supranational values encapsulated in the new human rights failed to affect . . . the anticolonialist imaginary” but the frequency with which references to human rights appear in the record of petitions to the UN and letters to the ILRM in the second half of the 1950s suggests otherwise. See MOYN *supra* note 2, at 89–90.

colonial history, both within and outside the United Nations.”<sup>65</sup> But was the purpose of human rights activists primarily to protect the civil liberties of individuals or to achieve collective political autonomy for colonial subjects?

#### IV. INDIVIDUAL HUMAN RIGHTS OR COLLABORATIVE SELF-GOVERNANCE?

Moyn argues that, in the era of decolonization, self-determination and human rights were mutually exclusive, and he views “anticolonialism at the UN as its own distinctive tradition—one that the rise of human rights in their more contemporary sense would have to displace.”<sup>66</sup> For Moyn, “decolonization universalized . . . collective liberation, not human rights.”<sup>67</sup> But the history of Cameroonian nationalism demonstrates instead that many anti-colonial activists *did* consider collective liberation and individual rights to be inter-related. African anti-colonial activists who assigned great importance to the protection of individual human rights knew political independence from European rule to be an essential prerequisite. In the twilight of colonial rule, European administrations’ track record of systematic human rights violations was well established. Administering authorities of colonial states historically and categorically violated African subjects’ human rights, while simultaneously claiming to be their protectors.<sup>68</sup> Especially after their political party was deemed illegal by the administering authorities within the Cameroon territories, nationalists placed human rights and political independence in the same framework. In the quest for both political sovereignty and for human rights protections, the ILRM became their greatest international ally.

On 1 August 1957, Ndeh Ntumazah, leader of the One Kamerun party based in the British Cameroons, sent a letter to Roger Baldwin, Chairman of the ILRM. Ntumazah’s request for affiliation with the league sounded almost like a marriage proposal:

We have heard of the great assistance that you had rendered to many territories struggling out of the Colonial Yoke, hence we here kneel before your great movement to rise up and extend its mighty helping hand to the suffering territory of the Kamerun [sic]. After considering your importance and the need to emerge out of the Colonial regime, we humbly beg to affiliate our anti-colonial movement to the League which stands for the rights of Man.<sup>69</sup>

65. *The Right to Petition supra* note 39, at 13–14.

66. MOYN, *supra* note 2, at 86.

67. *Id.*

68. Bernault, *supra* note 15, at 127–30.

69. NYPL, ILRM, Box 1, Folder 1, Ndeh Ntumazah (President of the Union des Populations du Cameroun—One Kamerun branch) to Roger Baldwin, 1 Aug. 1957. Cameroonian nationalists spelled Kamerun with a “K”—the German spelling until the colony was lost to the British and French and split by the Anglo-French boundary in 1919—to symbolize their desire to reunite the British and French territories.



One Kamerun replaced the UPC in name, if not in political strategy, when the party was proscribed by the administration of the British Cameroons on 3 June 1957. Pierre Tchapon, writing on 19 June 1957, commented even more directly on the British administration's decision to outlaw the UPC, the JDC, and the women's party, the UDEFEC. Tchapon argued that the ban demonstrated a "colonialists' solidarity" and violated the UN Charter, especially Article 76, which stipulated that the administering powers of UN Trust Territories must facilitate the progressive advancement of their inhabitants towards self-government.<sup>70</sup> Furthermore, Tchapon continued, the administrative ban on the nationalist movement transgressed Article 20 of the UDHR, which defined freedom of peaceful assembly and association as a human right, Article 3, which safeguarded the right to life, liberty, and security of person, Article 5, which prohibited torture or inhuman treatment or punishment, Article 9, which prohibited arbitrary arrest, detention, and exile, and Article 19, which ensured the right to freedom of opinion and expression.<sup>71</sup>

By the time the UPC had been outlawed in both French and British territory, many Cameroonian nationalists began to realize that they had overestimated the ability of the United Nations to enforce the principles outlined in the documents pertaining to Trust Territory administration. Tchapon, in a missive to Roger Baldwin, expressed cogently what many Cameroonians now understood about the United Nations: "It is the UN's unfounded silence that encourages the French government to multiply its inhuman and odious crimes," he wrote. "The Cameroonian people regret that the two colonial governments consciously forget that the international documents, for example, paragraph 3 of the Universal Declaration of Human Rights, pronounce the will of the people to be the foundation for the authority of public power."<sup>72</sup> Exposing the hypocrisy of the administering authorities in the Cameroon Trust Territories, Tchapon continued:

I am writing to tell you that the colonial governments irreverently trample on all the international texts and those of their own constitutions despite the fact that the Universal Declaration of Human Rights, a declaration which both governments freely adhered to, stipulates that member states of the UN are committed to ensuring universal and effective respect of the rights of man and of fundamental liberties. . . . For the colonialists, these international texts exist only in form, and are never applied in any case other than their own.<sup>73</sup>

By 1957, many Cameroonian nationalists viewed the ILRM as the organization to guard the guards by pressuring UN Trusteeship Council member state representatives to implement the UN Charter, the Trusteeship

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70. NYPL, ILRM, Box 1, Folder 1, Pierre Tchapon to Roger Baldwin, 19 June 1957.

71. *Id.*

72. *Id.*

73. *Id.*

Agreements, and the UDHR, and to compel signatories of these documents, colonial governments among them, to uphold the principles they promoted. Baldwin's responses to petitioners confirmed *upécistes'* suspicions that France and Britain dominated the Trusteeship Council and Baldwin encouraged them to keep writing: "Constant pressure from your organization and others, whether from your country or from abroad, remains crucial."<sup>74</sup>

As the link between the promise of the UN Charter's Article 76, the administering authorities' violation of the UN principles they were bound to uphold, and the United Nations apparent inaction became clear, petitioners articulated the simultaneous call for human rights and political independence ever more explicitly. "Long live a unified, independent Kamerun, Long live international rights, Long live all of black Africa, Long live human rights!" Jean Tonmo wrote as he signed off on his petition requesting the withdrawal of foreign troops, unconditional amnesty for imprisoned *upécistes*, free elections supervised by the United Nations, and suggesting that Visiting Mission members add French Cameroun's prisons and concentration camps to their itinerary.<sup>75</sup> But even though they called for both, Cameroonians' invocations of human rights talk called not only for "collective liberation," but also for the protection of "individual rights canonized in international law."<sup>76</sup>

The claims expressed in letters and petitions nationalists sent from British territory after the UPC's ban in French Cameroun built upon the earlier tradition Um Nyobé established at the UN General Assembly in 1953—that of furnishing proof to international observers. Whereas Um Nyobé had presented photographs of assembled crowds to demonstrate the movement's popularity petitioners now narrated the particular and detailed circumstances of individuals whose rights had been violated. In the last three years of the Trusteeship period, Cameroonian nationalists sent lists of the names of persons French and British administrators had deported, arrested, and killed,<sup>77</sup> appealing to the international community to protect specific individuals. The new strategy was part of *upécistes'* decision to document, in detail, British

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74. NYPL, ILRM Box 1, File: Cameroon (1958 Jan.–Aug.), Folder 2, Baldwin to Michel Fothe, One Kamerun, Kumba.
  75. NYPL, ILRM Box 1, File: Cameroon (1958 Sept.–Dec.), Folder 3, Jean Tonmo, Comité de base de l'UPC à Sevenjongo I, Douala, 30 Oct. 1958 to the President and Members of the UN Visiting Mission to Kamerun.
  76. Moyn writes instead that "[t]he utopia that mattered most [to anticolonialists] was postcolonial, collective liberation from empire, not individual rights canonized in international law." Moyn, *supra* note 2, at 85.
  77. See, e.g., NYPL, ILRM Box 1, File: Cameroon (Jan.–Aug.1958), Folder 2, Comité Central de One Kamerun, Mombo, PO Box 73, Kumba to the President of the ILRM, 24 Aug. 1958; *Id.*, Réunion Extraordinaire d'Association de Notables Camerounais, Section Bafoussam Sous Maquis à Monsieur le Secrétaire-Général des Nations Unies, NY, 19 Aug. 1958; Box 14, File: General Correspondence, Cameroons, Dr. Bebey-Eyidi to Roger Baldwin, 3 July 1959; Box 1, File: Cameroon (Jan.–Aug.1958), Folder 2, Buea One Kamerun Local Committee, Charles Njomou to Roger Baldwin, 8 Oct. 1958.

and French administrators' violations of their own laws. UPC leaders kept meticulous records demonstrating that, throughout 1956 and the first half of 1957, British officials allowed French administrators, security, and police agents to cross the border, gather intelligence as to *upécistes'* whereabouts and activities, and sabotage *upécistes'* homes and meeting headquarters.<sup>78</sup> These activities facilitated the assassination of Irénée Taffo and his wife on the night of 3 April 1957. *Upécistes* were convinced that this marked the first illegal political execution carried out by French agents in British territory, of several more to come.<sup>79</sup>

The question of human rights—what they meant, who defined them, the degree to which they were universal, and how they might be applied—was clearly present in 1957 at the intersection between the Cameroons' status as UN Trust Territories, the colonial powers' decision to ban the UPC, and Cameroonian anti-colonial activists' continued participation in political processes. In this crucial stage of Africa's decolonization, the ILRM became a forum for *upécistes* (and other African anti-colonial activists elsewhere) whom the administering authorities excluded from their territories' formal political field. At the height of the first wave of anti-colonial struggles, the ILRM kept petitioners from Trust Territories on the agenda at the United Nations. Baldwin and his colleagues ensured that petitioners could travel to New York, defined "good trusteeship practice," lobbied UN representatives to set target dates for the independence of Trust Territories, informed African political activists of the dates of UN Visiting Missions to their territories, and pressured representatives to the Trusteeship Council "to vote with colonial populations" to accelerate decolonization in non-self-governing territories.<sup>80</sup> With the mechanism of petitioning and the support of the ILRM already in place, activists were poised to react in the days, weeks, and months following the movement's ban in the British Cameroons in June 1957. The immediacy of the NGOs' response and the degree of collaboration between Cameroonian nationalists and human rights activists in the aftermath of the proscription reveals precisely how human rights strategies had been defined

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78. NYPL, ILRM, Box 1, Folder 1, File: (Cameroon, 1957), UPC Directors' Bureau, "Déclaration à l'opinion mondiale sur le tragique assassinat du patriote Irénée Taffo," 6 May 1957.

79. *Id.*

80. On lobbying, see NYPL, ILRM, Box 1, Folder 2, Roger Baldwin and Donald Harrington, Chairman ACOA to members of the Fourth Committee, UN General Assembly, 3 Dec. 1957. On target dates, see NYPL, ILRM Box 7, File: Movement for Colonial Freedom (1953–1956), Roger Baldwin to Mr. Hla Aung, Joint Secretary of the Asian Socialist Conference, Rangoon, Burma, 16 Sept. 1954; Box 7, File: Movement for Colonial Freedom (1953–56), Joseph Murumbi, Assistant Secretary of the MCF to Roger Baldwin, 28 Feb. 1955, Box 9, File: UN-TC (1954–1960), R. Baldwin to Mason Sears, US Mission to the UN, 3 Apr. 1956; on Visiting Mission dates, see Box 1, Folder 1, Baldwin to Jean-Paul Sende, UPC Delegation abroad, Sudan Office, 28 July 1958.

over the previous decade. The flurry of exchanges between activists located in Africa, Europe, and the United States showed to what extent all of them premised political freedom as the most essential of human rights, particularly in territories under the trusteeship of the United Nations.

## V. THE UPC PROSCRIPTION AS A TRANSREGIONAL HUMAN RIGHTS AFFAIR

After the official proscription of the UPC in the British Cameroons on 3 June 1957, British administrators arrested thirteen UPC, UDEFEC, and JDC leaders, detained them under residential surveillance, and informed them that they would be deported to whatever country would agree to host them.<sup>81</sup> While in detention, UPC President Moumié sent a letter alerting the ILRM of their situation. It included a "Statement to World Opinion by 13 Cameroonians Awaiting Deportation" that—citing legal precedent, the UN Trusteeship Agreement, British law, and habeas corpus—outlined the reasons why the ban of the UPC and the detention of its leaders was illegal in the UN Trust Territory of British Cameroons.<sup>82</sup> The statement refuted the British portrayal of the UPC as alien to the Cameroons, noting that Ntumazah, a native of Bamenda (in the British Cameroons) had spoken before the United Nations on the UPC's behalf in February, and four UPC candidates had run in the most recent territorial elections in provinces throughout the British Cameroons. The statement also declared that the British administration's portrayal of the UPC as Communist was inaccurate: the party always was and "remains a nationalist movement."<sup>83</sup> On 25 February 1957, all UPC offices throughout the British Cameroons were searched and not a single document proving a link with the Communist Party was found.<sup>84</sup>

In a hand-written follow-up letter dated 23 June 1957, Moumié asked Baldwin to "defend our cause to the United Nations and to popularise the Kamerun problem to American opinion which is up till date mis- or not informed by ill-willed press organs."<sup>85</sup> Fully convinced by the document's compelling evidence, Baldwin wrote to Brockway on 21 June 1957:

In Tanganyika and the British Cameroons, public meetings have been forbidden or organizations dissolved on the pretext that they might lead to a breach

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81. CAOM, Affaires Politiques, 3347/2, Rapport de Sûreté, 26 Mai-14 Juin 1957.

82. NYPL, ILRM, Box 1, File: Cameroon (1957) Folder 1, Statement to World Opinion by Thirteen Cameroonians Awaiting Deportation.

83. *Id.*

84. *Id.*

85. *Id.* Félix Roland Moumié, Political Detainee, c/o Police-Victoria to Mr. Roger N. Baldwin, International League of Human Rights, New York, 23 June 1957.

of the peace. And this without judicial review. Is that British law? . . . Even if it is good British law, it ought not to prevail in a Trust Territory. Can't you do something about this?<sup>86</sup>

In reply to Baldwin's query, Brockway wrote: "In our colonial territories the Governors have the power to issue decrees. We are constantly condemning *this denial of human rights* and I hope it may be possible to use the examples of Tanganyika and the British Cameroons to raise the issue in the UN Trusteeship Council."<sup>87</sup> Brockway persuaded the Sudanese government to accept the thirteen deportees and negotiated their departure and safe arrival in Khartoum. He also found legal counsel for nationalists remaining in the Cameroons, as he would later do for those in exile.<sup>88</sup> In July 1957, recognizing that "the right of petition can be destroyed by an administering authority by outlawing an organization," the ILRM used the UPC leaders' affiliation with the League to protect their right to petition and their future appearances before the General Assembly.<sup>89</sup>

In December 1957, on the eve of scheduled discussions at the UN regarding the Cameroons, Baldwin and Donald Harrington, Chairman of the ACOA lobbied members of the Fourth Committee to take decisive steps to end "the political confusion in the two Cameroons." Citing their "long and intimate contact with . . . organizations and leaders in both areas," the activists urged committee members to send a "request to the Administering powers to assure complete freedom of speech, press and organization in order to determine the will of the inhabitants," to revoke restrictions on peaceful assembly, and to liberate "all prisoners not charged with acts of personal violence."<sup>90</sup> Since UN procedure prohibited NGOs from "circulating criticism of member states,"<sup>91</sup> the only way for the ILRM to bring the matter of the proscribed UPC before the General Assembly was to have another member state circulate a petition. Thanat Khoman, representative of Thailand, agreed to do so.

The charges enumerated in the December 1957 petition did not result, as the ILRM had urged, in the immediate dispatch of a UN mission to the Cameroons to investigate whether the inhabitants thereof benefited from "conditions of political freedom adequate to assure a genuine expression of

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86. NYPL, ILRM Box 1, Folder 1, Roger Baldwin to Fenner Brockway, MP, House of Commons, 21 June 1957.

87. *Id.* Fenner Brockway to Mr. Keith Irvine, ILRM, 1 July 1957.

88. *Id.*

89. *Id.* Roger Baldwin to Keith Irvine, 5 July 1957.

90. NYPL, ILRM Box 1, Folder 2: Roger Baldwin, Chairman, ILRM and Donald Harrington, Chairman, American Committee on Africa (affiliated to ILRM) to members of the Fourth Committee, UN General Assembly, 3 Dec. 1957.

91. NYPL, ILRM Box 7, File: Movement for Colonial Freedom (1953–56), Fenner Brockway to Roger Baldwin, 11 May 1954 and Roger Baldwin to Douglas Rogers, 25 May 1954.

the popular will."<sup>92</sup> And so throughout 1958, in the months before the next scheduled UN Visiting Mission to the Cameroons, the ILRM continued to lobby for the party's reconstitution, citing political freedom as a human right. In January 1958, Baldwin wrote to UN Secretary-General Dag Hammarskjöld to express "grave concern" over the French government's deployment of troops to the French Cameroons to "suppress an armed uprising—alleged to be led by Communists."<sup>93</sup> Reminding Hammarskjöld that it was a Trust Territory, Baldwin entreated him to use the powers of the Secretary-General to inquire into the "charges of suppression of human rights" and "to determine the justification for the action of the French government."<sup>94</sup> To Guillaume Georges-Picot, Permanent Representative of France to the United Nations, Baldwin wrote:

May we express the hope that in the consideration of the Cameroons in the Fourth Committee, attention will be given to restoring the political rights of the suppressed UPC with permission for the return of their exiled leaders? We have protested before policies which deny these rights on the grounds of violations, or communist associations, believing that action should be taken only against guilty individuals, not against a movement as a whole.<sup>95</sup>

In another effort to ensure the audibility of the voices of Cameroonian nationalists in the United Nations, Baldwin provided members who comprised the UN Visiting Mission of late 1958 with a list of One Kamerun members who desired to meet with them, indicated their affiliation with the ILRM, and asked the Mission to make contact with them.<sup>96</sup>

Unable to sway either public opinion, or that of UN representatives, in favor of Cameroonian nationalists, the ILRM, the ACOA, and other Western activists attempted to change the movement's media image, as Moumié and other nationalists had asked. Convinced that the press erroneously portrayed the Cameroons' independence movement as Communist,<sup>97</sup> ILRM and ACOA activists offered correctives by the way of press releases and opinion pieces to the *New York Times* and the *Christian Science Monitor*, most of which were never published.<sup>98</sup> The pages of the anti-colonial human rights NGOs'

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92. *Id.*

93. NYPL, ILRM, Box 14, File: General Correspondence, Cameroons, Roger Baldwin to Dag Hammarskjöld, 6 Jan. 1958.

94. *Id.*

95. NYPL, ILRM Box 1, File: Cameroon (Jan.–Aug. 1958), Folder 2, Baldwin to Guillaume Georges-Picot, Permanent Representative of France to the UN, 22 Oct. 1958.

96. NYPL, ILRM, Box 1, File: Cameroon (Sept.–Dec. 1958), Folder 3, Roger Baldwin to Heinrich Wieschoff, UN, 2 Oct. 1958.

97. NYPL, ILRM, Box 14, File: General Correspondence: Cameroons, Roger Baldwin to A. Kaminey c/o Nyabe Ekime, 24 Jan. 1958.

98. NYPL, ILRM, Box 1, File: Cameroon (Jan.–Aug. 1958), Folder 2, R. Baldwin, D. Harrington & M. Keith Irvine to the Editor of the *N. Y. Times*, 6 Feb. 1958; L. P. Huger, Letters Editor, *N.Y. Times*, to R. Baldwin, 14 Feb. 1958.

own periodicals, *Africa Today*, *Africa Weekly*, and the ACOA's *Africa-UN Bulletin* provided play by play coverage of the Cameroonian nationalist movement, its suppression, and the ensuing struggles at the United Nations over the territories' future. But clearly, the small readership of these organs was comprised mostly of ILRM and ACOA supporters, pacifists, human rights activists, and anti-imperialist liberals and progressives who were not among those whose opinion needed to be swayed.

The ILRM's support for the proscribed UPC was so vociferous that Baldwin came under criticism even from members of the League's board. Days after Baldwin had called for an UN inquiry into the French use of troops in Cameroun in January 1958, Clifford Forster, of the League's Board-of-Directors, wrote to voice his concern:

League action is unequally being directed against alleged violations of human rights by western nations. . . . Insofar as the Cameroon situation is concerned the League by its principles cannot condone acts of violence no matter what the provocation. . . . It seems to me that we have no basis for inquiry much less protest in this matter.<sup>99</sup>

Forster's inquiry begs the question of why Western supporters of the *upécistes'* cause, most of whom were pacifists—including Fenner Brockway, George Houser, and Roger Baldwin—continued to support the UPC even after reports of violence became more widespread. Furthermore, how was it that the same nationalists who adopted human rights talk in their petitions to the United Nations and their correspondence with Baldwin and others came to espouse violence as a liberation strategy?

## VI. HUMAN RIGHTS AND ANTI-COLONIAL REVOLUTION: A MORAL PARADOX?

Paradoxically, the importance of human rights talk for Cameroonian nationalists seemed to increase at the same time as the use of guerilla warfare targeting administrators, locally and territorially elected officeholders, traditional chiefs suspected of colluding with European administrators against the UPC, European missionaries, and wealthy planters in the fertile Mungo river valley.<sup>100</sup> The first militia units of the UPC's *Comité d'Organisation nationale* were put in place in the Sanaga-Maritime in late 1956 to enforce the boycott of territorial elections, and throughout 1957 additional *maquis* (as *upécistes* called the underground resistance) were implanted in other regions

99. NYPL, ILRM, Box 9, File: Advisory Committee and Board of Directors, 1957–1958, Clifford Forster to Roger Baldwin, 14 Jan. 1958.

100. See Terretta, *Cameroonian Nationalists Go Global*, *supra* note 27.

on both sides of the Anglo-French boundary.<sup>101</sup> The Cameroonian nationalist parties had begun to factionalize soon after the French proscription of the UPC and its affiliates in July 1955. The deportation of the Directors' Bureau in 1957 dealt another blow to the UPC's cohesion, as did the execution of UPC Secretary-General, Um Nyobé, in the *maquis* of the Sanaga-Maritime on 13 September 1958, by a Franco-Cameroonian military patrol unit.<sup>102</sup>

An acephalic popular nationalist movement easily unravels. Major causes of dissent in the ranks of UPC leadership were the issue of violence and whether or not to employ it as political strategy and the interrelated question of whether to join more moderate, legal, nationalist parties such as the *Mouvement d'Action national camerounais* (MACNA). A number of political actors who supported the UPC's political platform distanced themselves after the party became illegal in French territory in 1955. Many of these, including Dr. Marcel Bebey-Eyidi, whose political trajectory will be discussed below, ran in the 1956 elections to the territorial assembly and adopted a moderate position aimed at reconciling radical nationalists with those who followed the French administration's gradual path of progressive steps towards independence.<sup>103</sup> Bebey-Eyidi and former *upéciste* Dr. Mathieu Tagny, among others, spoke out against the UPC's violent methods at the same time as they called for its restoration to legality.<sup>104</sup>

Ambivalent or contradictory attitudes towards the use of violence were not unique to Cameroonian nationalism. During the All-African Peoples' Conference (AAPC) held in Accra in December 1958, African politicians, activists, and representatives debated the question of violence. Before the assembly of anti-colonial political activists and intellectuals—including Tom Mboya of Kenya, Holden Roberto of Angola, Patrice Lumumba of Congo, and UPC president Félix Roland Moumié—Frantz Fanon voiced the argument that violence was the only path to total decolonization—economic, psychological, cultural, and political.<sup>105</sup> After lengthy deliberation, heads

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101. On CNO formation in the Sanaga-Maritime, see Marc Michel, *Une Décolonisation Confisquée? Perspectives sur la Décolonisation du Cameroun sous Tutelle de la France, 1955–1960*, 86 *REVUE FRANÇAISE D'HISTOIRE D'OUTRE-MER* 229 (1999); MBEMBE, *supra* note 45. The recent journalistic work based on archival research and oral testimony has the most detailed account of violence in the Bamileke region in Cameroon to date. THOMAS DELTOMBE, MANUEL DOMERGUE, & JACOB TATSITSA, *KAMERUN!: UNE GUERRE CACHÉE AUX ORIGINES DE LA FRANÇAIFRIQUE, 1948–1971* (2011).

102. For a biographical sketch of Ruben Um Nyobé and an account of his execution, see JOSEPH-ACHILLE MBEMBE, *Introduction* to RUBEN UM NYOBÉ, *LE PROBLÈME NATIONAL KAMERUNAIS* 18–25 (Joseph-Achille Mbembé ed., 1984).

103. For more on the “middle of the road” position of MACNA, see Meredith Terretta, *Chiefs, Traitors, and Representatives: The Construction of a Political Repertoire in Independence Era Cameroun*, 43 *INT'L J. AFR. HIST. STUD.* 227 (2010).

104. For Dr. Tagny's efforts at mediation, see *id.*

105. Emmanuel Hansen, *Frantz Fanon: Portrait of a Revolutionary Intellectual*, *TRANSITION*, Oct.–Dec. 1974, at 25, 25, 33; FRANTZ FANON, *TOWARD THE AFRICAN REVOLUTION* 154–55 (Haakon



of the delegations in attendance eventually reached the consensus that violence, narrowly defined, had its place in African territories' quest for liberation from colonial rule:

Recognizing that national independence can be gained by peaceful means in territories where democratic means are available, it [the AAPC] guarantees its support to all forms of peaceful action. This support is pledged equally to those who, in order to meet the violent means by which they are subjected and exploited are obliged to retaliate.<sup>106</sup>

For the activists, politicians, and leaders behind the 1958 AAPC resolution in Accra, violence employed in wars against colonialism constituted self-defense, or a last resort measure to utilize when democratic means were made unavailable by administering authorities, as they had been in the Cameroons. Whether or not to use violence in this revolutionary, anti-colonial context had little or nothing to do with a widespread espousal or rejection of human rights, but rather represented differing philosophies over how they might be put in place and enforced. Aimé Césaire resolved the seeming paradox in his tribute to Fanon written after his death:

A violent one, they said. And it is true he instituted himself as a theorist of violence, the only arm of the colonized that can be used against colonialist barbarity. . . . But his violence, and this is not paradoxical, was that of the non-violent. By this I mean the violence of justice, of purity and intransigence.<sup>107</sup>

In his discussion of "third-world revolution" which serves to posit the "first-world geography of the birth of human rights in the 1970s," Moyn writes that "guerilla warfare provides the starkest counterpoint to later human rights activism—especially since the human rights revolution in the late 1970s not only displaced it but also targeted it for its most passionate criticism."<sup>108</sup> But the AAPC's resolution in 1958, Césaire's commemoration of Fanon, and Moumié's ongoing correspondence with the Chairman of the ILRM—even as he issued orders to *maquis* fighters and arranged for young Cameroonian exiles to be trained in guerilla warfare—suggest that anti-colonial wars did not provide the "starkest counterpoint"<sup>109</sup> to human rights. Human rights activists, in some cases, believed that anti-colonial revolution was the only means to undo the hypocritical, "sordidly racist,"

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Chevalier trans., Grove Press 1967) (1964). For a discussion of Nkrumah's ambivalent reaction to Fanon's direct challenge to the principle of nonviolent "Positive Action," see Jeffrey S. Ahlman, *The Algerian Question in Nkrumah's Ghana, 1958–1960: Debating "Violence" and "Nonviolence" in African Decolonization*, *AFRICA TODAY*, Winter 2010, at 66.

106. Patrick Duncan, *Non-Violence at Accra*, *AFRICA TODAY*, Jan.–Feb. 1959, at 30, 32.

107. As quoted in Hansen, *supra* note 105 at 35.

108. MOYN *supra* note 2, at 114–15.

109. *Id.* at 115.

pseudo-humanism of colonialism that “diminished the rights of man.”<sup>110</sup> The 1958 AAPC resolution clearly defined the parameters within which violence might be justifiably used.<sup>111</sup> This precise definition of legitimate violence is what enabled Accra to become, by 1959, both a focal point for the anti-nuclear pacifist movement *and* a hub of support for anti-colonial freedom fighters from throughout the continent.<sup>112</sup>

While the ILRM never condoned the UPC's use of violence, it never wavered from its recommendations that the UPC be restored to legality. The ILRM, the ACOA, and their supporters maintained their conviction, based on correspondence with Cameroonian nationalists themselves, that the French administration's refusal to restore the UPC to legality, to amnesty political prisoners, and organize elections before independence engendered increased levels of violence in the territory.<sup>113</sup> Indeed, as Franco-Cameroonian security forces brutally suppressed the UPC rebellion from 1956 to 1964, an estimated 61,000 to 76,000 civilians lost their lives in those nine years alone, according to British Foreign Office reports,<sup>114</sup> and the repression continued until into the early 1970s. Adopting the same attitude it had towards the British suppression of Mau Mau in Kenya, the ILRM maintained that French military troops, in their violent repression of the UPC-led revolt, exceeded “unavoidable limits” in the violation of human rights.<sup>115</sup> When Sir Andrew Cohen, British representative to the UN Trusteeship Council, had asked ILRM representative Keith Irvine whether the organization would still support the UPC if “these people were to cause bloodshed,” Irvine responded: “The function of the League as an NGO is to safeguard the rights of individuals against possible government abuses.”<sup>116</sup> The ILRM's position was clear: colonial powers, in proscribing the most popular political party in a UN Trust Territory, were guilty of greater human rights abuses than were the Cameroonian nationalists. Had democratic means been available to anti-colonial nationalists, there would have been no occasion for violence. In denying these means, French and British administrators had violated the rights of

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110. AIMÉ CÉSAIRE, *DISCOURSE ON COLONIALISM* 15 (Monthly Review Press 2000) (1955).

111. *Conference Resolution on Imperialism and Colonialism, adopted* 13 Dec. 1958, All-African People's Conference, available at <http://www.fordham.edu/halsall/mod/1958-aapc-res1.html>.

112. See Jean Allman, *Nuclear Imperialism and the Pan-African Struggle for Peace and Freedom: Ghana, 1959–1962*, 10 *SOULS* 83 (2008); Terretta, *Cameroonian Nationalists Go Global*, supra note 27, at 203–205.

113. NYPL, ILRM, Box 1, File: Cameroon (1959–1960), Folder 4, Baldwin to Mr. Emanuel Freedman, foreign editor, *N. Y. Times*, 22 Dec. 1959 and Box 14, File: General Correspondence: Cameroons, Dr. Bebey-Eyidi to Roger Baldwin, 24 Oct. 1961.

114. British National Archives, Kew Gardens, Foreign Office, 371/176876, 22 July 1964, Goodfellow, British Embassy, Yaoundé, to Mellon, West and Central Africa Department.

115. *Talking Drums*, *AFRICA TODAY*, Sept.–Oct. 1956, at 11, 13.

116. NYPL, ILRM, Box 1, Folder 1, Keith Irvine to Roger Baldwin, 24 June 1957.

Trust Territory inhabitants, and the only way to right the wrong was to restore the political freedoms guaranteed by the UN Charter and the UDHR. The corrective measure never came to pass.

The political future of the Cameroons was decided in a special General Assembly session devoted solely to the issue in February 1959. African delegates, most of whom had attended the AAPC two months earlier, proposed a resolution to extend complete amnesty to political prisoners, to repeal the proscription of the UPC, and to organize new, UN-supervised parliamentary elections prior to independence. But the American delegation “exerted every available form of pressure . . . to defeat the African resolution.”<sup>117</sup> After heated deliberations, the Assembly “voted to approve independence and to end trusteeship over the French Cameroons without requiring new parliamentary elections,” and without a constitution in place.<sup>118</sup> As the territory acquired official independence on 1 January 1960, French and Cameroonian troops engaged in active “pacification” and were poised to stifle further uprisings. *Upécistes* imprisoned at Buea, in British territory, were in the midst of a hunger strike protesting prison conditions.<sup>119</sup> But in order to ascertain the impact of French Cameroun’s difficult decolonization on human rights after independence, the fate of human rights activists in postcolonial Cameroon must be examined.

#### **DR. BEBEY-EYIDI: HUMAN RIGHTS ACTIVIST, PARLIAMENTARIAN, AND POLITICAL OPPOSITIONIST**

In May 1959, as French Cameroun’s legislative assembly (ALCAM) went into session after the UN General Assembly voted to end trusteeship without holding new elections, Prime Minister Ahmadou Ahidjo proposed four bills providing him with the necessary juridical arsenal to crush the UPC rebellion. These bills included the declaration of a state of emergency throughout the southern portion of the territory, preventative detention, press censorship, one to five years imprisonment for “acts that constituted a threat to public order,” and the establishment of criminal tribunals.<sup>120</sup> They were approved in the legislative assembly by thirty-four to fourteen votes and were implemented on 16 May 1959. French troops backed Cameroonian

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117. *Talking Drums: Commentary on African Affairs*, AFRICA TODAY, Mar.–Apr. 1959, at 3, 5–6, 21.

118. *Id.* at 5.

119. Interview with Ignace Néguin Djoko, *dit* Souop Kuichoue, Baham, Cameroon (July 2002).

120. Nicodemus Fru Awasom, *Politics and Constitution-Making in Francophone Cameroon, 1959–1960*, AFRICA TODAY, Winter 2002, at 3.

security forces, suspects were arrested and detained without trial, and six opposition newspapers were shut down.<sup>121</sup>

Moderate nationalists who had supported the UPC's political platform before the movement's ban, but distanced themselves as the movement turned violent, were among those greatly affected by the state's heavy-handed restriction of political and civil liberties. Having maintained their independence vis-à-vis the UPC, they had expected the democratic process to ensure their participation in postcolonial governance. But they soon realized, even before official independence, that the emergency measures that had enabled the French to exclude the UPC from political processes were used to severely restrict their civil and political liberties as well.

One such parliamentary deputy was Marcel Bebey-Eyidi, a World War II veteran who had fought in the first division of the *Forces françaises libres* and completed his medical training in Paris after the war.<sup>122</sup> Dr. Bebey-Eyidi was one of three independent candidates elected to the assembly in late 1956.<sup>123</sup> He was a nationalist who, like *upécistes*, advocated total independence from French rule and supported the reunification of French and British territory. But like many progressive nationalists, he parted ways with the UPC after the movement turned to violence. Although he was concerned about the denial of freedom of assembly, speech, press, and political association, Dr. Bebey-Eyidi believed in non-violent political action. While in New York to speak at the United Nations on behalf of the Association of Cameroonian Notables in 1957, Dr. Bebey-Eyidi met Sabine Gova, the Vice-Chairman of the UN Speakers' Research Committee, and Roger Baldwin with whom he corresponded regularly thereafter.<sup>124</sup>

In late 1957, Bebey-Eyidi informed Baldwin that in eleven weeks, the administration had seized and censored four issues of his independent newspaper, *L'Opinion au Cameroun*, despite the fact that the issues seized had relatively "banal" political content.<sup>125</sup> Two weeks later, Bebey-Eyidi was arrested on charges of "reconstituting a dissolved association" for having published UPC Secretary-General Um Nyobé's writings in *L'Opinion au Cameroun*.<sup>126</sup> On 14 January 1958, Baldwin wrote to Dag Hammarskjöld

121. *Id.*

122. MARCEL BEBEY-EYIDI, *LE VAINQUEUR DE LA MALADIE DU SOMMEIL: LE DOCTEUR EUGÈNE JAMOT, 1879-1937* (1950).

123. The *Union camerounaise*, headed by Ahidjo, took thirty seats; the *Démocrates camerounais*, led by André-Marie Mbida, took twenty; the *Paysans indépendants*, comprised entirely of Bamileke members, took nine; and the *Mouvement d'action nationale*, the progressive nationalist movement headed by Paul Soppo Priso that filled the political vacuum left after the UPC's ban, took eight. BAYART, *supra* note 55, at 36.

124. NYPL, ILRM, Box 5, Baldwin to Anatole Kaminy and Dr. Bebey-Eyidi, 17 Apr. 1957.

125. NYPL, ILRM Box 14, File: General Correspondence, Cameroons, Bebey-Eyidi to Baldwin, 10 Dec. 1957.

126. NYPL, ILRM Box 14, File: General Correspondence, Cameroons, L'association des notables camerounais, Douala, Assemblée extraordinaire, 25 Dec. 1957.

citing Bebey-Eyidi's arrest and the closing of his paper as evidence of the "extraordinary measures . . . taken without any formal accusations," which only "add to the long record of repression of civil and political rights by the French administering authority and the native regime which it controls."<sup>127</sup>

In 1959, after the General Assembly voted to decolonize Cameroon without new elections and or a constitution, UPC militia fighters in the *maquis* increased acts of sabotage (railroads, buildings, plantations, and livestock) and attacks against security forces and those whom the party labeled "lackeys of colonialism." Bebey-Eyidi explained to Baldwin that law enforcement agents accused the legal political opposition of orchestrating the violence. The doctor described the criminal courts set up "to judge the innocent" that sentenced suspects to death without appeal.<sup>128</sup> All opposition newspapers had been suppressed, the mail was censored, and he and some of his nationalist colleagues, all members of legal political parties rather than of the UPC, were under surveillance.<sup>129</sup>

Before and after independence, Bebey-Eyidi sought to mediate between radical nationalists and more conservative forces. He called for a roundtable, once in December 1959 and again in February 1960, as a forum within which Cameroonian political leaders might discuss and agree upon a national program.<sup>130</sup> In October 1961, Bebey-Eyidi wrote a reflective letter to Baldwin in which he recalled the position he and other moderate nationalists had taken when before the United Nations in March 1959 as "a middle one between Ahidjo and Moumié in order to effect a general reconciliation of the different leanings of the Cameroons before independence." In not following that position, which requested UN-supervised elections, amnesty, and the reconstitution of the UPC, "the UN opened the way for extremists who plunged our country into terror and confusion."<sup>131</sup> But the doctor had reached the conclusion that imperialists were not solely to blame, for "if neo-colonialism is of imperialist origin, the real neo-colonialists are recruited among the Africans themselves." The entire structure of political governance, created by the circumstances of Cameroon's transition to independence, had to be rebuilt to "promote a larger degree of justice and liberty in our society whoever may occupy official posts."<sup>132</sup>

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127. NYPL, ILMR Box 14, File: General Correspondence: Cameroons, Roger Baldwin to Dag Hammarskjöld, 14 Jan. 1958. The UN Secretary-General forwarded Baldwin's letter to the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, instructing him to circulate it to Trusteeship Council members as a petition. The scheduled examination date for the petition was June 1958.

128. NYPL, ILMR Box 14, File: General Correspondence: Cameroons, Bebey-Eyidi to Baldwin, 3 July 1959.

129. NYPL, ILMR Box 14, File: General Correspondence: Cameroons, Bebey-Eyidi to Baldwin, 3 July 1959.

130. Awasom, *supra* note 120, at 9–21.

131. NYPL, ILMR, Box 14, File: General Correspondence: Cameroons, Bebey-Eyidi to Baldwin, 24 Oct. 1961.

132. *Id.*

Bebey-Eyidi's efforts to promote "a larger degree of justice and liberty" ultimately led to his undoing. In 1962, after writing an Open Letter denouncing the fascist and dictatorial tendencies of Ahidjo's united national party, the Union Camerounaise, and sending it to the president, Bebey-Eyidi and three of his colleagues in Parliament were arrested on the 28 June 1962.<sup>133</sup> They were sentenced to thirty months of prison and a fine of 300,000 CFA Francs under the "subversion law" that targeted "anyone who propagates false information, news, or rumors or who engages in tendentious commentary on news, when the information, news, rumors, or commentary may endanger public authorities."<sup>134</sup> Emmanuel Ngalle, Bebey-Eyidi's secretary, asked Baldwin to aid the four political prisoners by providing legal counsel.<sup>135</sup> In press releases about the event, Baldwin described it as the first political action taken against the organized opposition in the Cameroon parliament.<sup>136</sup>

In June 1963, Bebey-Eyidi wrote to Baldwin from the Yoko prison in northern Cameroon, thanked Baldwin for the League's aid in his legal defense, and tried to place the arrest, trial, and sentence in perspective. By arresting and sentencing them, the Ahidjo regime filled a dual purpose, ridding itself of troublesome political adversaries and making them an example for any other would-be oppositionists. The trial was just for show—"politics decided everything. . . . Justice is not free and independent as it should be in a true democracy."<sup>137</sup> Bebey-Eyidi traced the abuses of power that had led to his incarceration back to the 1959 General Assembly decision to lift the Trusteeship and grant independence to French Cameroun without holding supervised elections:

That is where all the trouble began. Today, we are slaves of an arbitrary regime and the UN can do nothing, due to the principle of "non-interference." . . . In a word, the rights of man are completely violated in our country. None of the democratic liberties inscribed in our constitution are in existence. The population is reduced to silence . . . for fear of the violent repression carried out by the army.<sup>138</sup>

Bebey-Eyidi wondered what purpose national independence served if it did not bring freedom:

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133. *Id.*

134. Marie-Emmanuelle Pommerolle, *A Quoi Servent les Droits de l'Homme? Action Collective et Changement Politique au Cameroun et au Kenya* 137 (2005)(Ph.D. Dissertation, Université Montesquieu-Bordeaux IV).

135. NYPL, IILRM, Box 14, File: General Correspondence: Cameroons, Emmanuel Ngalle to Baldwin, 12 Nov. 1962, Baldwin to Ngalle, 23 Nov. 1962, Ngalle to Baldwin, 26 Nov. 1962.

136. *Id.*

137. NYPL, IILRM Box 14, File: General Correspondence: Cameroons, Bebey-Eyidi (Maison d'Arrêt à Yoko) to Baldwin, 6 June 1963.

138. *Id.*

Wouldn't it be normal for the liberated African countries to prove to the world that their liberation engenders a complete restoration of the personhood and dignity of African mankind? It is right to work to accelerate economic development. But of what good would the greatest wealth be for us if it did not have as its foundation and its purpose the person worthy of being called human?<sup>139</sup>

In Bebey-Eyidi's view, the postcolonial government's human rights violations stemmed, at least in part, from political practices inherited from European administrations and from the UN failure to directly supervise the territories' decolonization. Although Bebey-Eyidi still believed in the importance of the United Nations when it came to upholding human rights principles, he also felt that the organization's failure to act during the final years of the trusteeship period had facilitated the current regime's rise to power. Bebey-Eyidi lost his sight shortly after writing this letter and died in Douala in June 1966, soon after his release from the Yoko prison.<sup>140</sup>

### VIII. CONCLUSION

To better understand the historical connection between human rights and Africa's decolonization, scholars might consider UN Trust Territories as central, rather than exceptional or peripheral.<sup>141</sup> The colonial powers' adeptness at out-maneuvering or ignoring UN resolutions passed on the administration of the trust territories suggests that the French, British, and Belgians governed their colonies and trust territories nearly identically. Certainly administrative policies operated similarly in Tanganyika and Kenya, in French Cameroun and French Equatorial Africa, in Ruanda-Urundi and the Belgian Congo.<sup>142</sup>

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139. *Id.* In French, this passage reads: "*Mais que seraient pour nous les plus grandes richesses si elles n'avaient pour fondement et pour raison d'être la personne humaine digne de ce nom?*"

140. Interview with Dieudonné Pouhe Pouhe, Yaoundé (26 Mar. 2011).

141. Moyn briefly discusses the trusteeship system's contributions to the global diffusion of human rights ideas. He writes: "It is possible that trusteeship—ironically, the most formalized and institutionalized place that human rights found for decades in the UN architecture—allowed for the idea to be spread abroad." MOYN, *supra* note 2, at 110. But after opening this promising, if unidirectional, historical enquiry, Moyn promptly closes it, devoting only two pages out of a total 227 to the question.

142. On Tanganyika, see John Iliffe, *Breaking the Chain at Its Weakest Link: TANU and the Colonial Office*, in *IN SEARCH OF A NATION: HISTORIES OF AUTHORITY AND DISSIDENCE IN TANZANIA* (Gregory H. Maddox & James L. Giblin eds., 2005). For Kenya, see CAROLINE ELKINS, *IMPERIAL RECKONING: THE UNTOLD STORY OF BRITAIN'S GULAG IN KENYA* (2005). For the Camerouns, see JOSEPH, *supra* note 27; Awasom, *supra* note 120. For French Equatorial Africa, see FLORENCE BERNALUIT, *DÉMOCRATIES AMBIGÜES EN AFRIQUE CENTRAL: CONGO-BRAZZAVILLE, GABON: 1940–1965* (1996). For Ruanda-Urundi, see RENÉ LEMARCHAND, *RWANDA AND BURUNDI* (1970). For the Belgian Congo see RENÉ LEMARCHAND, *POLITICAL AWAKENING IN THE BELGIAN CONGO* (1982). For general, comparative histories of Africa under European rule, see PROSSER GIFFORD & WILLIAM ROGER LOUIS, *FRANCE AND BRITAIN IN AFRICA: IMPERIAL RIVALRY AND COLONIAL RULE* (1972); PROSSER

Yet, based on the existing historical evidence, it seems clear that human rights, the act of petitioning, and connections formed with activists in other parts of the world constituted an important difference between UN Trust Territories and colonies during Africa's decolonization. This difference, far from being enclosed in the trusteeships' territorial borders, transformed into a transregional human rights network and spread along with nationalists and activists who traveled to the United Nations or political exiles regrouped in Cairo, Accra, and Conakry. At Pan-African gatherings such as the AAPC in 1958, African politicians, nationalists, and activists were made aware of the specific human rights violations unleashed by the administering authorities of UN Trusteeships and the latter's refusal to adhere to the UN resolutions. Meticulous readings of the petitions, correspondence, and legal case files in UN Trusteeship Council records, combined with additional archival research in the records of early NGOs such as the ILRM, the MCF, the ACOA, and the International Committee of Red Cross will provide scholars with a clearer picture of the reach of transregional connections forged between human rights activists in the age of decolonization. These archival findings must be supplemented with as much oral testimony as possible to fill in the gaps and discover new leads to follow.

When considering the role of human rights in decolonization, historians would do well to consider the words and deeds of activists like Dr. Bebey-Eyidi. Scholars of human rights should also note the widespread willingness, on the eve of decolonization, of African populations to lend credence to the human rights principles delineated in the UDHR, at least in the UN Trust Territories and the territory that was legally designated a trusteeship, but which South Africa refused to administer as such, South West Africa (Namibia). Nevertheless, with the exception of Julius Nyerere, one of the few ILRM-supported African nationalists in a trust territory to eventually become head of state, the human rights activists involved in independence struggles were usually denied access to the political sphere in the postcolonial age. In Cameroon, a general disillusionment with the UN human rights principles—the cause of so much optimism in the mid-1950s—permeated the popular political consciousness at the beginning of the postcolonial age. During the territories' transition to independence, Cameroonian activists' orientation towards universal human rights ideals shifted dramatically. To understand the historical shift, it is useful to think of it in terms of the four conceptual orientations to human rights recently identified by Marie-Bénédicte Dembour in the pages of this journal.<sup>143</sup>

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GIFFORD & WILLIAM ROGER LOUIS, *THE TRANSFER OF POWER IN AFRICA: DECOLONIZATION, 1940–1960* (1988); CRAWFORD YOUNG, *THE AFRICAN COLONIAL STATE IN COMPARATIVE PERSPECTIVE* (1994); COOPER, *supra* note 23.

143. Marie-Bénédicte Dembour, *What Are Human Rights? Four Schools of Thought*, 32 *HUM. RTS. Q.* 1 (2010).



For Dembour, human rights thinkers and lay activists can be divided roughly into four schools of thought, each with its own characteristics and intellectual history: natural rights scholars who perceive “human rights as given”; deliberative scholars who understand that they must be discussed and globally “agreed upon”; protest scholars who insist that they must be collaboratively and collectively fought for; and discourse scholars, or “human rights nihilists,” who critically assess human rights as comprising a discourse that “obscures power relations”<sup>144</sup> while leaving foundational causes of injustice, including the “unchecked globalization of capital, postcolonial political deformations, and superpower imperialism” intact.<sup>145</sup> It would certainly have been difficult for any colonial subject in the 1950s to view human rights as universally “natural,” given a lived familiarity with quotidian atrocities “legally” committed by colonial administrators. But, in 1956, when Cameroonian anti-colonial activists adopted human rights talk, most subscribed to a “protest school” view. Cameroonian nationalists and petitioners believed that the UDHR, the UN Charter, and the UN Trusteeship Agreement gave them legal grounds to redress the injustices they faced at the hands of European administrators. In the late trusteeship period, they used “human rights as claims and aspirations that allow the status quo [in this case, colonial rule] to be contested in favor of the oppressed.”<sup>146</sup> When, in 1959, the United Nations voted to withdraw from the Cameroon territories’ decolonization process, giving full rein to French and British administrators to suppress the political and civil liberties of Cameroonians as they provided material and military support to the political leaders that Dr. Bebey-Eyidi described as “the real neo-colonialists . . . recruited among the Africans themselves,” it became difficult, if not impossible, for those invested in human rights as political and civil liberties to believe in them as an “international project.”

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144. *Id.* at 2, 9.

145. Brown, *supra* note 16, at 461–62.

146. Dembour, *supra* note 143, at 3.