Introduction

'An anomaly among anomalies!' exclaimed David Hunter Miller, the United States' legal representative at the Paris Peace Conference in 1919. For Miller, in the decision to admit the British Empire's 'self-governing' colonies, such as Canada, to the idealistic new organisation to secure world peace, the League of Nations had stretched international norms.[1] What aggravated this already-peculiar situation for Miller was the admission of India, a British colony with few self-governing and representative institutions, no independent foreign policy, and no discernible international personality.

But was it an anomaly? The notion that a colony could become a member-state of an international organisation like the United Nations today seems like an absurdity. Membership to international organisations has long been seen as an important accreditation of statehood and sovereignty, and entry into a club that confirms a certain degree of inter-state recognition. The entry of a polity that is controlled partly, or wholly, as in the case of British India, by another member-state, undermines these ideals. To ensure this, most international organisations today restrict membership to self-governing states. Miller's reaction to India's admission confirms that a century ago, at the founding of the modern international system, some attitudes were not so dissimilar. Nonetheless, these member-states were, in theory, equals to other non-colonial, or

[1] Henceforth referred to as the 'League' in shorthand.

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'sovereign' member-states, enjoying the same voting rights and voice at the League of Nations.

Despite Miller's reaction, the accession of India to the League was not without precedent. Some of the earliest inter-state organisations of the nineteenth century that preceded the League included colonies among their membership. The League, that began its operations in 1920, existed in a very different era, dominated by fewer and significantly larger imperial states. Within these empires existed a multitude of quasi-autonomous polities and suzerainties, which scholars have seen as examples of a form of 'quasi-sovereignty'.[2] Nonetheless, it is often assumed that such territories possessed little presence in matters of international affairs, subsuming their representation to their imperial government.

The advent of the League changed this, as it conjured up new quasi-sovereign forms of statehood. The Mandates – the former German and Turkish colonies and territories placed under British, French, and Japanese administration – represented a suspended form of 'sovereignty', as territories that required Western 'tutelage' before they could become fully sovereign states with League membership. International jurists of the 1920s battled over the standing of Mandates in international law, with the League failing to come to a definitive idea of who possessed sovereignty in the Mandate.[3]

What is less known is the question of how colonies such as India, with arguably less sovereignty than a Mandate, could enter the private lounge seemingly reserved for fully independent states. Moreover, India was far from being the only example of an 'anomaly' at the League of Nations. From its foundation until its twilight years at the end of the 1930s, the League admitted many other colonial and semi-colonial member-states.

[2] Some of the best examples can be shown in the structure of the Hapsburg Empire in Natasha Wheatley, 'Spectral Legal Personality in Interwar International Law: On New Ways of Not Being a State', *Law and History Review* 35, no. 3 (August 2017): 753–87; Natasha Wheatley, *The Life and Death of States: Central Europe and the Transformation of Modern Sovereignty* (Princeton, NJ: Princeton University Press, 2023); but perhaps more topically, are also presented in the work of Stephen Legg, 'An International Anomaly? Sovereignty, the League of Nations and India's Princely Geographies', *Journal of Historical Geography* 43 (1 January 2014): 96–110.

[3] Antony Anghie, *Imperialism, Sovereignty, and the Making of International Law*, 1st ed., Cambridge Studies in International and Comparative Law (Cambridge, UK: Cambridge University Press, 2007), ch. 3; Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire*, 1st ed. (Oxford: Oxford University Press, 2015), ch. 7.

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Some of these members were known as Dominions, British colonies with internal self-governance such as Canada, Australia, New Zealand, South Africa, and later Ireland, but lacking independent external personas.[4] Others were nominally independent states tied to the British Empire through forced treaties and legal obligations, such as Egypt and Iraq. But perhaps the most peculiar of all these colonial polities was India itself. Neither internally self-governing like a Dominion nor nominally independent, India was simultaneously a colony but also a founding member of the League of Nations in 1919 and the United Nations in 1945.

Membership to international organisations has long been an important step of accreditation for decolonising or seceding states, with John Darwin calling the UN the 'arena of international affairs par excellence in which new international identities could be paraded and displayed'.[5] However, the form of accreditation that the League offered to aspiring nations still under colonial rule, was more deceptive. For many today, the presence of such quasi-sovereigns, especially India, would be considered an anathema to the contemporary international system. An international legal paper published in 1970 considered the Dominions and British India as 'anomalous international persons', but suggested they were nonetheless 'international persons' by reason of their membership of the League.[6] Therefore, League membership imbibed them with a certain international personality where before they had none.

But as much as colonial membership represents a divergence from our understanding of the relationship between membership at an international organisation and international recognition and sovereignty, it is also a deviation from common understandings of imperialism. The elevation of a colony as a fully recognised participant in international affairs in Geneva alongside sovereign states, appears counter-intuitive to traditional notions of imperialism, undermining the unitary nature of an Empire, lending credence to the colony's separation from the metropolitan centre. The League also provided a valuable international platform through which potential grievances could be expressed, further undermining imperial unity. The idea of separate representation for colonies was so seemingly contrary to imperialism, that many Whiggish

[4] They lacked international personality as of 1919, when these Dominions (save Ireland) were admitted to the League but would quickly develop it throughout the 1920s.

[5] John Darwin, *Britain and Decolonisation: The Retreat from Empire in the Post-War World*, 1988 ed. (Houndmills: Palgrave, 1988), 12.

[6] T. T. Poulose, 'India as an Anomalous International Person (1919–1947)', *British Yearbook of International Law* 44 (1970): 201–12.

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interpretations from the 1920s and 1930s saw colonial membership at the League as a magnanimous gesture of imperial patronage, in which the colonies were developing into a state of preparedness for self-governance.[7]

Despite the rose-tinted view of many liberal-imperialist thinkers regarding the separate representation of colonies, it was the product of the imperial policy of one single empire: Britain. No other major imperial state, including the second Great Power at the League, France, pursued a policy of colonial membership at the League.[8] Miller's so-called anomaly therefore seems to resemble something more of an exception carved out exclusively by Britain. The accession of British colonies to the League thus hints at the power of large states in the international arena to influence and carve out for themselves certain conditions deviating from the norm. But the fact that no other power replicated Britain's examples after the precedent was set, suggests a glimpse of deeper changes within British imperial policy in 1919 that distinguished itself from other empires.

Although research exists on the presence of colonies and of other quasi-sovereign member states at the League, little has been done to identify the common imperial policy that threads these different colonies together. Although many of the studies into these colonies' memberships have been ground-breaking, they have also been nationally centred on the respective colony'. Books such as Verma's 'India in the League of Nations', the only book published on the topic since the 1960s, continue to remain the canon in its field.[9] More recently, there has been a rapid acceleration on scholarship revolving around the idea of colonial membership, particularly that of India, as found in the work of Stephen Legg and Joseph McQuade, as well as that of Egypt.[10] However, the decision to include certain colonies as separate members of the League of Nations,

[7] Zimmern Alfred, *India Analysed*, vol. I (London: Victor Gollanz Ltd, 1933); William Yandell Elliott, *The New British Empire* (New York: Whittlesey House, McGraw-Hill, 1932).

[8] France considered separately representing its 'protectorates' in the 1920s but decided against implementing it, as shall be discussed in Chapter 4.

[9] Dina Nath Verma, *India and the League of Nations* (Patna: Bharati Bhawan, 1968).

[10] Legg, 'An International Anomaly?', 96–110; Joseph McQuade, 'Beyond an Imperial Foreign Policy? India at the League of Nations, 1919–1946', *The Journal of Imperial and Commonwealth History* 48, no. 2 (3 March 2020): 263–95; Giorgio Potì, 'The League of Nations and the Post-Ottoman Recolonization of the Nile Valley: The Imperial Matryoshka of Anglo-Egyptian Sudan, 1922–1924', *Journal of Global History* 17, no. 2 (July 2022): 191–209; Shaimaa Abdelkarim, 'Nuances of Recognition in the

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is one that transcends national histories to a wider imperial history. Focussing on the imperial and nationalist actors of each colony's accession, risks ignoring the wider development of imperial politics within the British Empire, and the precedent-driven system that pushed Britain's colonies to claim representation at the League.

By looking at both the politics of separating the Empire's representation at the League, from the perspective of the British imperial policymakers using documents from the United Kingdom, as well as the perspective of local statesmen in the colonies 'represented', we can get an empire-wide perspective on how this policy operated. This can help better understand the imperial motivations behind the promotion of separate representation, rather than the ambitions of colonial statesmen seeking greater international recognition. The motivation of the British Empire in separating its representation has not been fully understood, leading to the conclusion that Britain's prime objective was to expand its vote-share at the League Assembly, thus dominating the League's institutions.[11] Whilst that is not wholly inaccurate, it is merely the tip of a larger history that is yet to be explored. Furthermore, it does not explain why other empires did not introduce their own colonies to counter British hegemony at the League's Assembly, or indeed why so many other British colonies were not represented at all at the League.

Instead of focussing on one single colony's role at the League, I focus primarily on how the strategy of separate colonial representation came into being and was developed, and how this particularly British policy became inscribed into the League of Nations Covenant. The book will then explore the politics behind the accession of three colonial member-states; India, Ireland, and finally Egypt. Each of the three case-studies represents the accession of different forms of colonial polity, at different time periods in the British Empire's and the League's history. India, as the least independent of these three, entered the League as a founding member, and was subject to the political expediencies and pressures of the end of First World War. The Irish Free State, a Dominion with relative degree of internal self-governance entered the League later, in 1923, a year after it had gained Dominion status. Dominion status would eventually evolve formally into full statehood within the British Empire by

League of Nations and United Nations: Examining Modern and Contemporary Identity Deformations in Egypt', *TWAIL Review* 2021, no. 2 (17 November 2021): 154–79.

[11] Verma, *India and the League of Nations*, 24.

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1931.[12] And finally, Egypt, a British protectorate which would gain nominal independence almost simultaneously with Ireland becoming a Dominion, would not be represented at the League until 1937.

None of these quasi-sovereign colonial entities were the initial-intended recipients of separate membership in 1919, which was primarily envisioned for the British Dominions. For this reason, they and not the Dominions are the primary focus of this book. All three cases saw some of the most significant anti-colonial movements against British rule in 1919, when the League was created. With highly advanced national independence movements gaining momentum from the pressures and instabilities of the First World War and the changing international norms on the legitimacy of colonial rule, which historian Erez Manela coins the 'Wilsonian Moment',[13] it is easy to assume that the pressures of decolonisation led to these colonies' membership of the League. The Egyptian Revolution, the Irish war for independence and Easter Rising of 1916, and finally the mass political movement of the Indian National Congress and the bloody backlash at Amritsar, all threatened to destabilise British control of these key colonies. However, when differentiating the three case-studies, the inverse is true. Paradoxically, it was India, where demands for self-rule before 1920 were often limited to seeking Dominion status, and where resistance to British rule was the least violent, that acceded to the League first. Therefore, gaining an understanding of anti-colonial nationalist movements helps comprehend why certain colonies were permitted by Britain to join the League and why others were not. Yet the timeframe in which they joined suggests that their accessions were conducted at a pace partially set by Britain, rather than solely by nationalist movements.

More can be inferred from these states' memberships by looking at their political context within the Empire at the time they acceded to the League. The granting of League membership never occurred by itself but was always accompanied by large, symbolic forms of internal political devolution. These limited transfers of power back to these colonies, however, were never seen as a form of retreat from British rule by those

[12] This was ratified by the Statute of Westminster in 1931, although many Dominions had the tools of statehood by the mid- to late-1920s.

[13] Erez Manela, 'The Wilsonian Moment and the Rise of Anticolonial Nationalism: The Case of Egypt', *Diplomacy & Statecraft*, 12, no. 4 (1 December 2001): 99–122, https://doi.org/10.1080/09592290108406228.

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that designed them. Rather, devolution and the greater participation of local elites that had undergone 'Western' forms of education was seen as an evolution of colonialism; one in which these elites could contribute to the Empire, rather than agitate against it. This was a form of British-led state-building that saw itself as working towards retaining British power and influence through reconceptualising the Empire as a confederation or Commonwealth. This form of statehood did not mean independence, but as Mrinalini Sinha states, was 'reappropriating this imperialist project, in anticipation of an impending yoking of the nation to the state'.[14] Rather than the nation being antithetical to colonialism, imperialism was attempting to reconcile its control with growing nationalist demands for independence.

Sinha and other scholars have called this shift from direct formal control to increasingly autonomous control as the 'Third British Empire'. This 'Third' Empire was born from significant upheaval, as the theory of common British subjecthood and identity changed to increasingly localised control, and as identities and power fragmented and devolved throughout certain sections of the Empire, especially within the European-governed Dominions.[15] This 'Third Empire' co-existed temporally with the 'Second', but not spatially, as the Dominions made rapid progress toward statehood, whilst many other colonies, especially in Africa, remained under Britain's direct control. However, some states, such as the Government of India inhabited a realm between both visions of the Empire. The Government of India wielded a degree of autonomy from its handlers at the India Office in London, although it was an autonomy exercised by a White-minority government for the maintenance of British rule in India. From the early twentieth century, reforms were introduced to allow a greater participation of Indian landowners into legislative decisions, as well as into the civil service. These symbolic devolutions aimed to see greater participation of Indians in the administration of the Empire but did little to represent the view of the wider Indian public. Moreover, devolution was subject to reservations, with important matters of state such as foreign policy being kept under

[14] Mrinalini Sinha, 'Premonitions of the Past', *The Journal of Asian Studies* 74, no. 4 (November 2015): 828.

[15] John Darwin, 'A Third British Empire? The Dominion Idea in Imperial Politics', in *The Oxford History of the British Empire: Vol. IV: The Twentieth Century*, ed. Judith Brown and Roger Louis (Oxford: Oxford University Press, 1999), 65–66.

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British control. India at the League was thus an international person enacting another state's foreign and imperial policy.[16]

Key to this 'Third Empire's' form of state-building within its imperial confines, was membership of the League of Nations. Being a founding member of the League, India occupied a symbolically powerful role, attending conferences in Geneva and sitting amongst the family of nations. This apparent elevation of India to the world stage occurred whilst India had no real foreign policy of its own, or at least not a foreign policy controlled by Indians.[17] Nonetheless, the British hoped that symbolic devolutions of statehood, such as the international recognition imparted by the membership at the League, would satiate claims for greater Indian participation in its own governance, thus binding India closer to the Empire.

The forms of controlled devolution in the so-called inter-war years, reveal the limitations in measuring decolonisation as a dualism between complete colonial annexation and outright independence. John Darwin states, 'we cannot easily measure the extent to which British dominance over client states and peoples contracted by the crude yardstick of a charge in constitutional forms'.[18] Although significant in our understanding of decolonisation, official constitutional development fails to capture how the British Empire transfigured and transformed into new forms of governance to win the consent of local rulers. Rule through indigenous interlocutors had been a hallmark of colonial rule from the outset, and colonial representation at the League was yet another example of this policy.[19] Conversely, many nationalist narratives of decolonisation have focussed on how devolution was a form of colonial retreat, under pressure from anti-colonial movements. 'Centripetal forces', where nationalist efforts for independence in the colonial periphery were the impetus for reform and national independence, put anti-colonial nationalist actors as the primary drivers of decolonisation. In contrast, 'centrifugal force' where political change occurs from normative shifts and reformers within

[16] Sinha, 'Premonitions of the Past'.

[17] Thakur adds more nuance to this by stating that Indians had more autonomy in foreign policy in areas the British deemed 'less important': Vineet Thakur, 'The Colonial Origins of Indian Foreign Policymaking', *Economic and Political Weekly* 49, no. 32 (2014): 61.

[18] Darwin, *Britain and Decolonisation*, 7.

[19] John Gerring et al., 'An Institutional Theory of Direct and Indirect Rule', *World Politics* 63, no. 3 (July 2011): 377–433.

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the centre of the Empire, and which reflects in devolution willingly given to the colonies, puts British politics and statesmen on the centre stage.[20]

The history of separate colonial representation at the League straddles this divide. As a policy devised by British, Dominion and pro-British Indian statesmen to satiate nationalist demands, separate representation reflected new internal conceptualisations of 'empire' as a response to rapidly-growing political pressures against colonial rule. Moreover, many such statesmen and reformers did not see devolution such as League membership as a road to independence, but rather a means to strengthening ties with the colonies. These devolutions saw the promotion of the colonial state's status within the Empire, devolving certain areas of governance and awarding symbols of statehood. Yet, these devolutions did little to improve the actual status of those that resided in the colony, whose rights were often degraded at the same time as the colony's putative statehood was being promoted.[21] *De facto* power in permitting the development of a truly independent foreign policy was curtailed, in favour of the trappings of autonomy. Membership of the League of Nations was one of the foremost examples of this symbolic elevation of the colonial state, without necessarily compromising the actual control of that colony. This marked something of a middle ground between traditional forms of colonial rule, and the emergence of a neo-colonial, Monroe Doctrine-style form of rule, that began to normalise in the inter-war years.[22]

The presence of colonies at the League represents perhaps a 'third way' in understanding the evolution of colonialism to neo-colonialism. Rather than an emulation of the American tradition of rejecting imperialism whilst simultaneously being an empire, colonial membership and the 'Third British Empire' attempted to reconcile demands for autonomy, statehood, and national identity within the Empire. The variety of different political structures within the British Empire of the inter-war era, including colonies at the League, speaks to a larger issue of the

[20] Mrinalini Sinha gives the example of the centrifugal and centripetal thesis. John M. MacKenzie's Studies in Imperialism Series in Mrinalini Sinha, 'Whatever Happened to the Third British Empire? Empire, Nation Redux', in *Writing Imperial Histories*, ed. Andrew S. Thompson (Manchester: Manchester University Press, 2013), 168.

[21] South Africa's process of gaining Dominion statehood within the British Empire coincided with the rise of the pre-apartheid system whilst devolutions of power to the Government of India would see little expansion of suffrage to the Indian population.

[22] Carl Schmitt raised the emergence of this form of 'American' style of imperial dominance that was quickly gaining traction in the 1930s Pedersen, *The Guardians*, 284.

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relationship between Empire, international organisations, and sovereignty. Recent studies of the 'post-war' period by Leonard Smith and Natasha Wheatley have examined the many incarnations of sovereignty that emerged, with sovereignty (and quasi-sovereignty) being both a statement of political autonomy within a larger polity, as Wheatley has shown in the example of the late Hapsburg Empire and in its dissolution after the First World War.[23] But sovereignty could also be a statement of where the authority of statehood derived its legitimacy, either from the state or monarch, or democratically through 'the people' or 'the nation'. This national, or popular sovereignty that had emerged since the French revolution saw a significant internationalised and liberalised perspective in the outlook of Wilson's view of sovereignty. Like-minded, liberal representatives of different political communities, states, would embody the sovereign will of their people, and resolve disputes internationally through institutions like the League.[24] The limited form of sovereignty derived from colonial membership at the League would resemble a benevolent gesture towards sovereignty, by dolling out symbolic forms of autonomy in reaction to fears of a genuine form of international personality and foreign policy.

THE LEAGUE OF NATIONS AND THE 'THIRD BRITISH EMPIRE'

The transition to a 'Third British Empire' would see considerable constitutional adjustments within the Empire, but it would also use the League as a site through which to legitimise these developments. The usurpation of the League of Nations as a body through which imperial politics could attempt to legitimise colonialism is not a new argument, but one that has not yet been comprehensively applied to the admission of colonies at the League. A panoply of different works has exposed how the League contained many facets of British colonial rule built into its foundations. Imperial theorists contributed towards a League that was highly compatible with Britain's evolving vision of Empire. Mazower in his influential work on the colonial origins of the United Nations, focusses on key thinkers such as Jan Smuts and Alfred Zimmern in the formation of the

[23] Wheatley, 'Spectral Legal Personality in Interwar International Law'; Wheatley, *The Life and Death of States*.

[24] Leonard V. Smith, *Sovereignty at the Paris Peace Conference of 1919* (Oxford: Oxford University Press, 2018), 9–13; Allen Lynch, 'Woodrow Wilson and the Principle of "National Self-Determination": A Reconsideration', *Review of International Studies* 28, no. 2 (2002): 419–36.

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League of Nations.[25] Statesmen such as Smuts promulgated a form of 'imperial internationalism', which saw the British Empire as a blueprint of successful global governance that could be replicated through the League.[26] Smuts, a former Boer commander and an antagonist of British colonial rule turned Prime Minister of British South Africa, represented a new wave of political thought within the Empire. He envisioned the Empire as a Commonwealth of different nations held together by the common thread of British liberal values. In a similar fashion, in this conception, the League would be a voluntary supranational organisation made up of its component nations.[27]

Smuts's vision contained a strong 'civilisational' and racial component, which was to be expected from one of the early architects of racial segregation in South Africa. For Britain and its 'white' Dominions, the League would unite the disparate European civilisations together to conduct global governance, in a grand civilising mission.[28] Ultimately, the British establishment was sceptical of Smuts's grand vision for the League, but one of the major results of Smuts's overtures to this 'civilising' mission has received more scholarly attention; the Mandates system. Dominion leaders played a key role in instituting the Mandates, in a way that reveals how the League could simultaneously increase one colonial entity's authority whilst imposing their rule on another. As Gorman argues, many of the Mandates were governed by the Dominions, turning them into 'regional, imperial powers in their own right'.[29]

Initially, the Mandates seemed to represent an evolution of imperialism. Anghie argues that the Mandates changed the basis of legitimacy for colonial rule from the right of conquest to one of development, monitored by international oversight.[30] Underpinning the idea of Mandates, however, was a British desire to (re)-legitimise Empire. Pedersen's work on the Mandates follows the debates over the French and British attempts to annex former German and Ottoman colonies, in a world where the normative pendulum was rapidly swinging away from colonial conquest. Mandates in theory provided a compromise between outright annexation

[25] Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations*, Reprint ed. (Princeton, NJ: Princeton University Press, 2013) ch. 1 and ch. 2.

[26] Mazower, *No Enchanted Palace*, 37. [27] Mazower, *No Enchanted Palace*, 36–38.

[28] Mazower, *No Enchanted Palace*, 47–49.

[29] Daniel Gorman, *Imperial Citizenship: Empire and the Question of Belonging*, 1st ed. (Manchester: Manchester University Press, 2006), xi.

[30] Anghie, *Imperialism, Sovereignty, and the Making of International Law*, 144–46.

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and the desire to avoid accusations of such annexations being an imperial landgrab.[31] As Mazower puts it, Mandates were a way of 'squaring the circle' of expanding imperial rule whilst symbolically paying homage to national self-determination.[32]

Mandates were thus technically not colonies, and the Mandatory powers were not sovereigns in the Mandate, yet they were still open to economic exploitation. The League's Permanent Mandates Commission, the body that conducted oversight of the Mandates from its far-removed office in Geneva, also largely comprised of colonial officers. Moreover, Pedersen's work reveals the normative difference between British and French imperialism, with the French being initially resentful of the notion of cloaking their annexations, already indicating the growing rift in using the League to internationalise colonial expansion.[33] Yet despite their obvious colonial underpinnings, the creation of the Mandates inadvertently sparked important debates about where sovereignty in these Mandates actually lay.[34] This debate was never fully resolved at the League, with debates as to whether sovereignty over these Mandates lay in Geneva, the Colonial overseer, or the Mandated territory itself.[35]

The Mandates were an example of how new 'spectral' quasi-sovereign polities could be summoned into existence by the League. Wheatley has argued that the inter-war period was a significant era of transition in international law, as the subjects of international law, traditionally reserved for states, expanded. Sovereignty, once the preserve of independent states, could now apply in several different ways, such as absent or suspended sovereignty of Mandates, minorities within states, as well as petitioners and individuals.[36] Of these suspended forms of sovereignty, the Mandates revealed a form of sovereignty built on the 'anticipation' of full statehood, deeming its sovereignty to be real, but also embryonic.[37] A similar logic was at play with the admission of colonies to the League, but no international political invention was devised for these British

[31] Pedersen, *The Guardians*, 28. [32] Mazower, *No Enchanted Palace*, 45.
[33] The French were particularly antagonised by the prohibition on recruiting troops in Mandates, Pedersen, *The Guardians*, 29–34.
[34] Leonard V. Smith, 'Sovereignty under the League of Nations Mandates: The Jurists' Debates', *Journal of the History of International Law / Revue d'histoire du droit international* 21, no. 4 (18 December 2019): 563–87.
[35] See Anghie, *Imperialism, Sovereignty, and the Making of International Law*, ch. 3; Pedersen, *The Guardians*, ch. 7.
[36] Wheatley, 'Spectral Legal Personality in Interwar International Law'.
[37] Wheatley, 'Spectral Legal Personality in Interwar International Law', 770–73.

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colonies, as they entered a space traditionally reserved for those already deemed sovereign.[38]

If the Mandates System was established to justify the expansion of imperial power into newly conquered territories, the admission of British colonies aimed to justify the continuation of imperial rule in these territories. The imperial status quo was challenged not just in newly acquired Mandates, but within the colonies of the victorious states. Nationalist movements rallied for autonomy or outright statehood for their contributions in the conflict, buoyed on by a somewhat mistakenly placed trust in US President Woodrow Wilson's paradigmatic shift in support for national self-determination.[39] These revolts occurred across empires, revealing a transnational and global revaluation and rejection of imperial rule. In the case of the Mandates, the League attempted to legitimise the transfer of territories from the defeated empires to the victors. Yet less is understood about how the League was used to help justify the continuation of imperial rule within the victors' increasingly disgruntled colonial empires.

The inclusion of certain colonies into the League provides an important example of a rebranding of colonial rule, one that has gone largely unnoticed in the literature on the membership of colonies in the League. The few histories that exist on the subject of colonial membership at the League, focus on the history of a single polity, such as India or Ireland at the League of Nations. These national histories, such as Verma's work on India, or Kennedy's on Ireland, provide significant depth as to how their respective polities acceded and operated at the League.[40] Yet this national focus, rather than the transnational or imperial lens, sometimes obscures important questions of British intent. For Verma, separate representation was a nefarious British means of gaining more votes in Geneva.[41] This view was seconded by Poulose, who focussed on sources from US

[38] As we shall later see, this idea of a 'suspended' sovereignty would reappear when attempting to justify the admission of British colonies at the Paris Peace Conference.

[39] As we shall later see, and as argued by Manela, national self-determination was only intended by Wilson for a narrow selection of Central and Eastern European states and was far from a universal principle. See Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism*, 1st ed. (Oxford: Oxford University Press, 2009).

[40] Verma, *India and the League of Nations*; Michael Kennedy, *Ireland and the League of Nations, 1919–1946: International Relations, Diplomacy and Politics* (Dublin: Irish Academic Press, 1996).

[41] Verma, *India and the League of Nations*, ix, 24.

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Republicans and their opposition to the League.[42] Meanwhile, much of the literature on Ireland either portrays its entry either as an overspill of the Anglo-Irish Treaty 1921 that established Irish statehood (although not independence), or that Ireland's accession to the League was done in defiance of Britain by ambitious Irish statesmen, keen to assert Irish autonomy. This has earned Ireland the reputation as the 'restless Dominion' that tested the constitutional limits imposed by Britain.[43] Lowry, however, questions the 'David versus the Goliath of the Empire' narratives that are popular in nationalist histories, arguing that League membership was clearly within the accepted parameters of the constitutional limits set by Britain, and that Ireland was actively encouraged by some in the British government to join.[44]

Not situating these national histories into the wider imperial histories of the significant normative changes occurring within the British Empire, has led to a difficulty in understanding why colonial membership of the League was highly compatible with new forms of imperial internationalism. The presence of British colonies at the League breaks down traditional understandings of imperialism and decolonisation. As aforementioned, decolonisation has often been marked as a crude binary between absolute colonial control and outright independence. This fails to account for the diversity of different political structures that existed within empires and how those polities evolved over time. Some of these polities clearly had more autonomy than others, yet that does not automatically mean that a more autonomous polity was more 'decolonised' than another, rather it may have been allocated a different role to play in the larger structure of the Empire. Gorman states that the British Empire was 'not a unified state, the solid red on imperial maps belying the dizzying array of political identities which existed under the Union Jack'.[45] This has been described by Lauren Benton as 'layered sovereignties' with empires consisting of a patchwork of different polities upholding the Empires' transnational structure.[46]

[42] Poulose, 'India as an Anomalous International Person (1919–1947)', 207.
[43] D. W. Harkness, *The Restless Dominion: The Irish Free State and the British Commonwealth of Nations 1921–1931* (London: Gill & Macmillan, 1969).
[44] Donal Lowry, 'The Captive Dominion: Imperial Realities behind Irish Diplomacy, 1922–1949', *Irish Historical Studies* 36, no. 142 (November 2008): 207–8.
[45] Gorman, *Imperial Citizenship*, 1.
[46] Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900*, 1st ed. (Cambridge: Cambridge University Press, 2009), 31.

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India itself displayed a variety of different political structures, with a third of India under the rule of Indian Princes. Legg, however, reveals the complexity of situating such polities in an international context. League membership demarcated India as a single territory, which was a new concept for a territory that had always constituted a multitude of different polities.[47] Bose claims that European empires represented a significant break from the norms of pre-colonial empires such as the Mughals and Ottomans, in the way that in inter-state relations, empires were represented as monolithic, 'indivisible', and with 'unitary sovereignty'.[48] When Britain declared war on Germany in August 1914, it was the Empire as a whole that automatically joined, in spite of the multiplicity of Dominions, princely states, and other autonomous territories that actually comprised the Empire. When Britain declared war on Germany in September 1939, it would spark a tremendous backlash within the Empire, particularly in Canada, South Africa, and India over whether Britain still had the authority to drag their colonies into another (seemingly) European conflict without their consent.

The decision to divide Britain's representation internationally, marked a significant constitutional development in the Empire's history. Whilst analysing the Mandates, Pedersen claims that though the League was no intentional agent of decolonisation, it made the 'end of empire imaginable' through its focus on international oversight and progression towards self-governance.[49] But the end of formal empires did not necessarily mean an end to colonialism, which emerged in new forms. Pedersen remarked that the end of the Iraq Mandate in favour of a treaty that gave considerable rights to Britain revealed an evolution towards new forms of colonial control.[50] Satia in her review of Pedersen's work also questions to what extent Iraq's new-found sovereignty could adequately be perceived as an 'end of empire'. Rather, the end of formal empire was often replaced with states or proto-states whose sovereignty was 'evacuated of substantive meaning'.[51] Nor did this undermine the notion of empire, as British jurists often saw sovereignty as divisible, with certain rights being 'lodged with one possessor, and some with another'.[52] Thus the

[47] Legg, 'An International Anomaly?'

[48] Sugata Bose, *A Hundred Horizons: The Indian Ocean in the Age of Global Empire* (Cambridge, MA: Harvard University Press, 2009), 25.

[49] Pedersen, *The Guardians*, 406.

[50] Pedersen, *The Guardians*, 284.

[51] Priya Satia, 'Guarding *The Guardians*: Payoffs and Perils', *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 7, no. 3 (2016): 485.

[52] Satia, 'Guarding *The Guardians*', 486.

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imaginable end of empire was more an end to empire's formality, rather than its reality.

This perpetuation of empire through the creation of nominal forms of statehood within the British Empire is evident through separate representation at the League of Nations. Thakur, in his work on India's pre-independence international personality argues that 'of all the functions that a state undertakes to practise its sovereignty, it is that of formulating "foreign policy" that gives it the maximum measure of sovereignty'.[53] However, as has been established from Verma's work, India's presence at the League was highly regulated by Britain, and did not represent an Indian 'foreign policy'. For the case of Ireland, its membership and voice in Geneva was considerably less constrained than India's and the Irish Free State's government often exercised its agency.[54] Nonetheless, membership of the League provided a status and international personality for a colony that was distinct from Britain's. This was potentially of enormous symbolic value in elevating colonial states to be theoretically on a par with other states at the League, as well as over other colonies that were denied membership.

Dominion status offered the pinnacle of this form of statehood within the Empire. This status was an alternative for other colonies to aspire to, but it was also a highly dynamic status. Dominion status was also highly dynamic, evolving new forms of meaning throughout the inter-war period. Prior to the First World War, Dominion status meant a relative level of internal self-governance, yet Dominions began to rapidly accrue external symbols of international personality, including League membership, after the War.[55] This alternative form of statehood was not built to undermine British control of the Empire, but to act as an alternative to independence. Moreover, Dominion status had strong racial connotations, as contemporary theorists of the Empire such as Lionel Curtis envisaged the white-Dominions, as they were often termed, as

[53] Thakur, 'The Colonial Origins of Indian Foreign Policymaking', 58.

[54] This is especially true when regarding attempts to register the Anglo-Irish Treaty, Kennedy, *Ireland and the League of Nations, 1919–1946*, 53–57.

[55] L. Lloyd and A. James, 'The External Representation of the Dominions, 1919–1948: Its Role in the Unravelling of the British Empire', *British Yearbook of International Law* 67, no. 1 (1 January 1997): 479–501; Charles Anthony Woodward Manning, *The Policies of the British Dominions in the League of Nations* (Geneva: Graduate Institute of International Studies, 1932).

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contributors in the governance of the non-white parts of the Empire.[56] Even states that were not initially intended for Dominion status such as Ireland could play a role to prop up the British Empire. Lowry argued that the creation of an Irish Dominion led to a decline in Irish support for other nationalist movements in the Empire such as India, as well as creating a state that actively suppressed the remains of the Irish Republican movement.[57] Therefore, the localised devolution of power to certain colonial entities only served to buttress the interests of the wider Empire.

Thomas and Thompson state that state-centric versions fail to explain the replication of colonial forms of authority within nominally independent countries and in the case of the Dominions, this tacit support for empire was perpetuated beyond achieving full statehood.[58] Hopkins's analysis of the British Dominions suggests that despite gaining statehood in 1931, they continued to represent many of the facets of British colonialism, both symbolically and through active policy into the 1960s and 1970s. Here the ties of the Empire continued for decades after direct rule from London had ceased.[59]

The ability of Britain to reconcile new forms of statehood within the wider polity of empire, was why its promotion of colonial representation (for some) at the League was not necessarily representative of decolonisation. Moreover, for many British policy-makers, the inclusion of colonies at the League was not seen as decolonisation either, but rather as a process of a British-led political evolution within the Empire. This paradigm shift in imperial governance has been termed by some scholars as an example of a 'Third British Empire', in which the empire's component parts underwent a form of 'nationalisation' but were yet retained within the imperial framework. Darwin argues that the 'Second' British Empire had been a 'tripartite system' of local autonomy for white-European colonies, command, control, and coercion for colonies such as India, and spheres of influence and indirect rule for regions like Egypt. This 'Second' Empire had developed in the wake of the collapse of the 'First'

[56] Andrea Bosco, *The Round Table Movement and the Fall of the 'Second' British Empire*, 1st ed. (Newcastle upon Tyne: Cambridge Scholars Publishing, 2017).
[57] Lowry, 'The Captive Dominion', 216.
[58] Martin Thomas and Andrew Thompson, eds., *The Oxford Handbook of the Ends of Empire*, Oxford Handbooks (Oxford: Oxford University Press, 2018), 4.
[59] A. G. Hopkins, 'Rethinking Decolonization', *Past & Present*, no. 200 (2008): 211–47.

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British Empire with the loss of the North American colonies during the American Revolutionary Wars.[60]

Yet it was the collapse of the First Empire and fears of conflict with Britain's white colonies seeking greater autonomy and representation that underpinned the creation of the 'Third Empire'. The war in South Africa against Dutch-speaking Boer republics, followed by the impact of the Great War, sparked anxieties in the imperial metropole of the risk of imperial disintegration. The rapid growth of nationalist movements within the Empire confirmed these fears, and would fundamentally alter these previous methods of rule, ushering in the 'Third Empire'.[61] This 'Third Empire' was held together by what may seemed like a paradoxical glue of 'national status and Imperial identity'.[62] In the white-Dominions, powers were rapidly devolved that, by the 1920s, Dominion status was akin to a form of statehood within the Empire.[63] The initial proponents of this 'Third' form of Empire believed that common civilisational, cultural, and racial ties would ensure the Dominions' continued and voluntary participation within the Empire. But how was the Empire to meet calls for autonomy and independence in territories that did not share these ties?

The changing nature of British imperial policy was also noticed by academics in the 1920s and 1930s. Almost regarded as the father of the study of modern international relations, Alfred Zimmern coined the term of the 'Third British Empire' in his 1925 series of lectures and subsequent book.[64] Zimmern stated what he believed was a fundamental shift in the governance of the Empire, as the Empire began to atomise into multiple states held together by seemingly more consensual bonds to form the Commonwealth. Other scholars such as the Harvard Professor William Yandell Elliot, in his 1932 work 'the New British Empire', proclaimed the changes in the British Empire as a 'democratic experiment ... transforming the British Empire from a centralised system, under either British hegemony or direct rule, into a League of Allied states'.[65]

[60] Darwin, 'A Third British Empire? The Dominion Idea in Imperial Politics'.
[61] Jeanne Morefield, *Empires without Imperialism: Anglo-American Decline and the Politics of Deflection* (Oxford: Oxford University Press, 2014), 10.
[62] Darwin, 'A Third British Empire? The Dominion Idea in Imperial Politics', 71.
[63] This status was confirmed as such by the Statute of Westminster in 1931.
[64] Alfred Zimmern, *The Third British Empire, Being a Course of Lectures Delivered at Columbia University, New York*, 5 p. L., 148 pp. (London: H. Milford, Oxford University Press, 1926), //catalog.hathitrust.org/Record/000109708.
[65] Elliott, *The New British Empire*, 3.

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Many of the changes that made colonial representation at the League possible, were already well under-way prior to its creation. Bosco's history of the end of the 'Second' Empire and the rise of the 'Third' centres around an influential imperial lobby group/proto think tank called the 'Round Table' movement. The Round Table, derived from colonial officers and academics during the creation of the South African Dominion represented an early vision of the 'Third British Empire', propagating the idea of greater Dominion autonomy. For the Round Table however, the common cultural and racial adhesives that bound this new Empire were to be reinforced with new legislative structures, such as a supranational 'Imperial Parliament' at Westminster. The dream of such a chamber that would represent leaders from across the Dominions at the Imperial centre never came to fruition. Nonetheless, their calls to create an Empire based on seemingly more consensual bonds would lead to a new generation of Dominion leaders who sought autonomy and ultimately statehood within the British Empire.[66] Federalists at the centre of the Empire, such as the imperial reformer Lionel Curtis often vehemently disagreed with Dominion leaders on the Empire's periphery, like Smuts, on the extent of which the Empire's ties should be formalised through the proposed Imperial Parliament. However, both sides envisioned greater Dominion participation through events such as the Imperial Conference system that saw the Dominions regularly consulted on imperial affairs.[67] This divergence provides important contextualisation behind the Dominions' entry into the League, as confederal visions of the Empire could greatly contribute to the decision to separate the Empire's representation at the League.

The 'Third British Empire' was thus a political solution for some of the Empire's colonies, but what about the colonies that did not share the same cultural and racial ties? Neither a Dominion nor on the same trajectory towards imperial statehood, India still secured a place in the League in 1919 alongside the Dominions. Sinha claims that the Dominion aspect has dominated discussions about the 'Third British Empire', rather than applying the same analytical lens to the rest of the British Empire. Politicians and nationalist leaders inside non-Dominion colonies looked enviously at the rapid devolution of self-government to white British colonies. Long held back by racist beliefs in their inability to govern themselves without sufficient British tutelage, or that viewed non-European subjects as subjugated peoples as opposed to willing

[66] Bosco, *The Round Table Movement and the Fall of the 'Second' British Empire*.
[67] Bosco, *The Round Table Movement and the Fall of the 'Second' British Empire*.

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participants in the project of Empire, the devolutionary impetus of the 'Third British Empire' was not initially envisaged for the non-Dominion colonies.

The outbreak of the First World War rapidly overturned that equation. The destruction of many of the world's long-standing empires between 1917 and 1919, was not lost on the British Government. Confronted with the seemingly inevitable rise of national identities, buoyed by a sense of 'misinterpreted' legitimacy by Woodrow Wilson that appeared anathematic to the Empire, British statesmen scrambled for solutions that could reconcile the Empire with the sentiments of nationhood.[68] Sinha calls this moment the 'imperial nationalizing conjuncture', an attempt to build states or at least symbols of statehood within colonies, yet under the supranational umbrella of the Empire. This resulted in policies that were highly informed about the rise of nationalist movements, but were not highly reactive to them, aiming rather to control the pace of a colony's constitutional development within the Empire.[69]

This conjuncture contrasts with nationalist narratives of decolonisation, which she claims have been too focussed on nationalist centrifugal forces, and the inevitable rise of the nation-state. Instead of focussing on the 'impact of empire on the nation', Sinha concentrated on the 'impact of the nation on empire', and the re-envisioning of the Empire as a more nation-centric Commonwealth in the inter-war years.[70] Sinha argues that too much of the history of the British Empire focusses on a seamless transition from Empire to Commonwealth, which she deems to be too 'linear'. Rather, the normative shift towards nation-states and sovereignty led to attempts to reconcile elements of the nation; delineated borders, identities, devolution located within an overarching framework of empire.[71] This led to a process of 'Dominionisation', colonial state building, increasing autonomy but retaining symbolic links to Britain and the Empire.

Yet the Empire's tolerance, if not the promotion of this form of state building, did not mean a relinquishing of substantive power. Sinha and Gorman claim that the changing notion of Empire in the early twentieth century affected notions of imperial citizenship. The concept (if often theoretical) of a common British subjecthood, was degraded by attempts to construct local forms of citizenship, motivated by an opposition to

[68] Manela, *The Wilsonian Moment*. [69] Sinha, 'Premonitions of the Past', 825.
[70] Sinha, 'Whatever Happened to the Third British Empire? Empire, Nation Redux'.
[71] Sinha, 'Whatever Happened to the Third British Empire? Empire, Nation Redux'.

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intra-imperial migration.[72] The growing discrimination in the Dominions against Indian migration in particular, is well-recorded and is considered the start of Gandhi's political career in South Africa. The imperial response to this evolution was not to demand an end to Dominion migration controls, but to give the Indian state the right to reciprocate its own immigration controls, a toothless and completely symbolic gesture that elevated the rights of the Indian state over those of its subjects.[73] These symbolic devolutions of statehood are significant in understanding the intention behind colonial representation at the League. Rather than degrading the notion of Empire, Sinha's example sets out a framework for understanding how such devolutions of power were symbolic gestures, rather than real compromises over the future of power.

For contemporary scholars, these symbolic reforms were noticed as educational stepping-stones towards parity with the Dominions. Alfred Zimmern and his co-authors from both Britain and India tracked the changes in India's domestic and international status in the 1930s.[74] Although they acknowledged that India was not independent in its foreign policy, its position at the League was a form of training for an 'intelligent anticipation' of India's full participation within the 'family of nations'. The statehood achieved by the British Dominions set a blueprint for India's direction towards full self-governance within the British Empire. For liberal imperialists such as Zimmern, the 'Third British Empire' would bring India in line with the Dominions, once it had reached a certain state of development.[75] In the meantime however, India's freedom of expression at the League was heavily censored compared to the Dominions. Despite the limits of India's League membership, its position at the League provided a potent carrot to dangle before Indian reformers and nationalists seeking international recognition and constitutional equality with the Dominions.

India, however anomalous its position at the League seemed, was only one case among several colonial polities at the League. For the Dominions and Ireland, their membership was not curtailed in the same way that India's was, to the extent that many have stressed the agency that many Dominion members, particularly Ireland, showed at the League.[76] Instead, Britain attempted to harmonise its different diplomatic relations as well as its new constitutional complexities through a process called

[72] Gorman, *Imperial Citizenship*.
[73] Sinha, 'Premonitions of the Past'.
[74] Alfred, *India Analysed*, vol. I.
[75] Alfred, *India Analysed*, vol. I, 13–15.
[76] Kennedy, *Ireland and the League of Nations, 1919–1946*.

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inter se. This was a way of maintaining an outward face of diplomatic unity, whilst resolving outstanding disagreements between the Empire's component parts internally. Gorman has called *inter se* the 'veneer of guiding authority' of Britain over the Empire, suggesting that it represented de-facto loosening of the imperial bonds.[77] Yet little has been written about *inter se's* applicability as a way of re-asserting imperial consolidation over the Empire's divided international personality at the League.

Inter se was perhaps one of the last veneers of formal colonialism to the Dominions and its attempt to obfuscate their *de facto*-attained statehood by claiming their continued *de jure* position within the British Empire. Yet, the underlying principles of the 'Third British Empire' were also applicable in Britain's 'informal' empire. Never formally within the British Empire, Egypt went from being a British protectorate to being declared independent in 1922, in near simultaneity to the creation of the Irish Free State. Although there is little to no literature on the topic of Egypt at the League of Nations, there are features of its very late admission in 1937, the last member-state to be admitted, that pose questions around sovereignty and League membership. One of the seeming paradoxes posed by Egypt's late admission was that a nominally independent state was forced to wait fifteen years, when a British Dominion such as Ireland was admitted relatively soon after the state's creation.

Considering the League's relative flexibility towards accepting colonies, the considerable lag between Egypt's nominal independence and its membership of the League, was more likely connected to Britain's imperial policy in Egypt. The Anglo-Egyptian Treaty of 1936 reveals that League membership was a condition for entry, tying Egypt's membership to the negotiations between Britain and Egypt to conclude a treaty. Satia for instance has compared this type of colonialism through treaties of alliance, as similar to Pedersen's example of Iraq, in choosing de-territorialised and indirect forms of control over the more direct-control model of the Mandate.[78] Unlike the other colonial member-states, Egypt could be symbolically situated as outside of the Empire, embracing Egyptian national icons whilst retaining British political influence. However, unlike Iraq, the considerable interval of time between the

[77] Daniel Gorman, *The Emergence of International Society in the 1920s*, 1st ed. (Cambridge: Cambridge University Press, 2012), 24.
[78] Satia, 'Guarding *The Guardians*', 485.

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declaration of independence and membership of the League reveals a potential weakness to the evolving forms of colonialism: non-compliance.

The veneer of acquiescence was the basis for what constituted the 'Third British Empire'. However, as revealed by the attempts to settle a treaty with Egypt, resistance to conforming with British demands could lead both to an exclusion from formal forms of statehood and membership of the League. Britain's significant position at the League meant it could act as a gatekeeper, reserving the right to approve entry to those of its colonies which it deemed sufficiently willing to cooperate with the Empire. Conversely, there was considerably more agency among local nationalist leaders who negotiated with the British, than the imperial policy-makers initially suspected. As has been stated, many historians have stressed how Irish politicians pushed for the maximum amount of devolution possible, either domestically through the Free State, or internationally through the League.[79] There were very clear limits to this attempted co-option in that many nationalists attempted to use devolution as a stepping stone towards full independence, but as aforementioned by Lowry, most negotiations set clear parameters to ensure that full independence couldn't be achieved.[80] Ultimately, conformity was backed up by a level of force if necessary, and this would be a recurring theme throughout British colonies' accessions to the League.

The evolving nature of the 'Third British Empire' undergirded how the League was created through British political power to allow the accession of colonies, and why it pursued the seemingly unorthodox strategy of colonial membership at the League. Despite D. H. Miller's perceptions of the 'anomalous' nature, both legally and politically, of India at the League, its inclusion, however nominal, represents imperialism's many forms, and its adaptability. Simultaneously a continuation of the age-old British tradition of indirect rule unfurled to meet the headwinds of the rise of nationalism in the twentieth century, colonial membership revealed the Empire's ability to reconfigure itself to maintain imperial rule.

Finally, the significance in understanding the colonial membership was that its roots both preceded the League's creation in 1919, and its legacy would persist after the League's demise. Despite contemporary beliefs that this form of colonial membership died with the League in 1946, its

[79] Harkness, *The Restless Dominion*; Kennedy, *Ireland and the League of Nations, 1919–1946*.
[80] Lowry, 'The Captive Dominion'.

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descendent, the United Nations contains in its Charter many of the same articles and patterns that made colonial membership possible. As I will argue in the final chapter, the legacy of colonial membership was perpetuated as far as the 1990s, tying what seems like a short-lived imperial experiment from the League's brief existence to a much longer history of who can join an international organisation and the credentials it confers to its members.

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