

Nonetheless, Olympio's insinuation resonated with the non-Administering Council members. As ex-Chairman of the Visiting Mission to West Africa, the Iraqi representative, Awni Khalidy, stated that "the Mission had considered that the Ewe unification movement was being conducted in a very orderly manner. But it was a nationalist movement, with dangerous elements like all nationalist movements; it should not be thwarted and so encouraged to develop along violent lines."²³⁴

Olympio's plea was supported by the representatives of the non-Administering Authorities, such as the Philippines, China, the Soviet Union, and Iraq. As such, the representative of the Philippines introduced a draft resolution, which supported Olympio's expositions by calling on the French and British authorities to develop and to include a *political* solution to the Ewe problem in the memorandum they would submit to the Council at its 7th Session. Yet, in view of the already-taken decision to postpone the discussion of all petitions from Togoland until the 7th Session, this motion was not voted on and the debate was adjourned.

6.4.2 The Anglo-French "Master Stroke" (1950)

At the 7th Session (1950), the French and British delegation presented their Joint Memorandum, which recommended to replace the Standing Consultative Commission (SCC) with an Enlarged Consultative Commission (ECC). Nugent considered this move a "master stroke."²³⁵ Originally, the instruction to establish the SCC, which the Trusteeship Council gave to the Administering Authorities in 1947, was primarily a response to the Ewe petitions of 1946 and 1947, calling for the unification of their territories. But the French and British established a Joint Anglo-French Consultative Commission on *Togoland* Affairs, thereby emphasizing that they were committed to taking a broader view, as they were obliged to the entire population of both territories. Yet, as mentioned before, already at the SCC's 2nd meeting in December 1948, frustration was caused amidst the African representatives whether the work of the SCC related only to Eweland or to the two Togolands.

As the memorandum outlined, by increasing the number of the Commission's elected representatives to 45 and weighting the seats according to population, with 28 seats going to French Togoland and 17 to British Togoland, the Administering Authorities were able to give the appearance of treating the two Togolands seriously as one, while at the same time drown out the voices of the unificationists. With this new arrangement, there were also representatives from the northern regions of both territories who were aloof to the Ewe cause. With French Togoland accounting for almost two-thirds of the seats, it was easy for the French to marginalize the demand of the Ewe, who would find themselves in the minority in the Commission.

Following the decision to discuss the Visiting Mission's report at its 7th Session, the Council heard for the first time several representatives from other political organizations from Togoland. In addition to Sylvanus Olympio, who again represented the AEC, Fran-

234 TCOR, "6th Session" (1950), p. 501.

235 Nugent, *Smugglers, secessionists & loyal citizens on the Ghana-Togo frontier*, p. 177.

cis Y. Asare and Senyo G. Antor appeared for the for the *Togoland Union*, the *Natural Rulers of Western Togoland*, and the *Togoland Farmers Association*.

Photo 9: Asare, Antor & Olympio before Hearing, Lake Success (11 July 1950)²³⁶



Source: UN Photo.

Pedro Olympio, ironically a cousin of Sylvanus Olympio, represented the pro-French PTP, and Derman Ayeva appeared for both the PTP and the pro-French *Union des Chefs et des Populations du Nord* (UCPN).

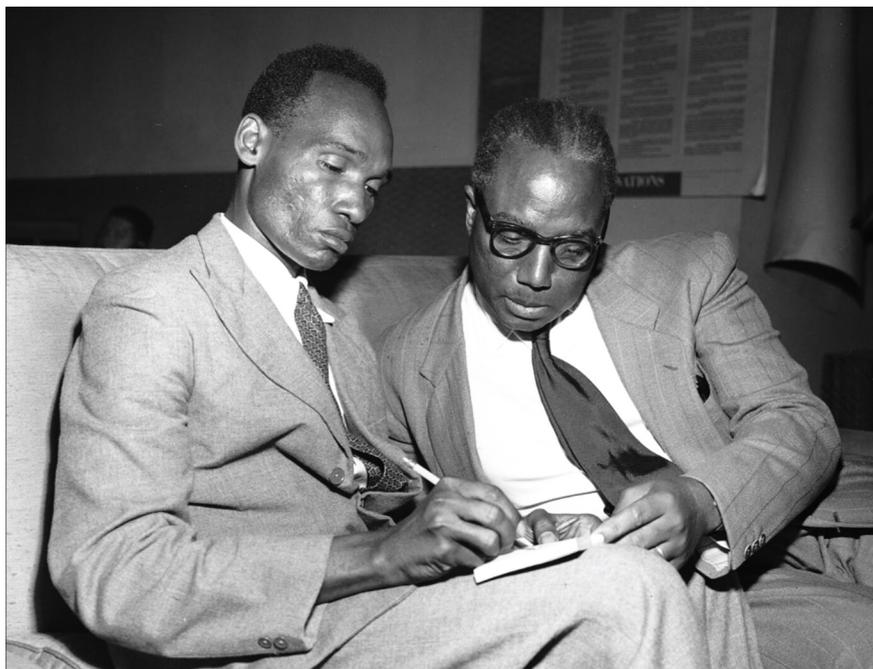
Sylvanus Olympio recalled the first Ewe petitions of 1946 and tried to discount the opposition to Ewe unification voiced in some parts of Togoland. Whilst he agreed with the mission report that the movement was met with indifference in the north, he expressed that their legitimate preference not to unite with the people in the south should not prevent the Ewe from realizing their unification. He announced that the AEC would boycott the announced EEC since he was convinced that “that body’s terms of reference would not permit it to study the question of the unification of the Ewe people as it ought to be studied.”²³⁷ Olympio noted that while the mission report mentioned the opposition of the Togoland Union and PTP to the unification of the Ewe, there were no serious disagreements between the AEC and the Togoland Union. The difference lay with the PTP, which “consisted mostly of employees of the French administration who feared that unification would involve a reorganization of that administration and hence cause them to lose their posts.”²³⁸

236 From left to right: Francis Y. Asare, Senyo G. Antor, and Sylvanus Olympio.

237 TCOR, “7th Session” (1950), p. 148.

238 TCOR, “7th Session” (1950), p. 148.

Photo 10: Ayevea & Olympio before Council Hearing, Lake Success (11 July 1950)²³⁹



Source: UN Photo.

In an approach that was unusual for oral hearings, the French representative, Garreau, interposed the question “whether Mr. Olympio realized the limitations of the Council’s competence in the examination of petitions. The conclusions of [his] statement suggested that Mr. Olympio did not realize those limitations. [...] Mr. Olympio was quite wrong in thinking that the Trusteeship Council was competent to deal with certain questions which were actually beyond the scope of its competence.”²⁴⁰ While the question caused bafflement among non-Administering Council members, the Belgian representative, Ryckmans, was backing Garreau, stating that “Mr. Olympio had been invited by the Council to express the point of view of the All-Ewe Conference and not to construe the terms of the Charter.”²⁴¹ When thereafter Garreau then followed up with the question whether Olympio “had been in direct contact with certain officials in the Secretariat of the United Nations and, if so, who those officials were,”²⁴² even Ralph Bunche had voiced his puzzlement that there was actually another matter at hand. Garreau prepared the ground for unificationists’ *illocutionary frustration*, yet the floor was given to the representatives of the Togoland Union.

239 Derman Ayevea (left) and Pedro Olympio (right).

240 TCOR, “7th Session” (1950), p. 149.

241 TCOR, “7th Session” (1950), p. 149.

242 TCOR, “7th Session” (1950), pp. 149–50.

Antor and Asare demanded the immediate unification of the two Togolands under a single administration. They were not opposed to Ewe unification, yet, declared that Ewe unification alone would lead to the disintegration of both territories. They protested the creation of the Southern Togoland Council and the administrative union with the Gold Coast, proposing that the Council should initiate a program of development which would enable Togoland to attain self-government within five years. Antor claimed that the proposed Consultative Commission was instrumental in maintaining the barrier and that the French and British claim about the disunity of the Ewe “was but a mere excuse intended to confuse world opinion and to prevent the United Nations from seeing the problem in its true light and from taking a decision consistent with the principles of the Trusteeship Agreement and the Charter.”²⁴³

Antor complained about the lack of accountability of the Administering Authorities since the report of the Visiting Mission asserted that the recommendations and resolutions of the Trusteeship Council and of the General Assembly were not binding upon the Administering Authority, which was free to accept or reject them. It would therefore appear, he argued, that “the Administering Authority could do as it pleased regardless of the wishes and interests of the inhabitants.”²⁴⁴

It is worth highlighting how Antor and Asare distinguished themselves from the other petitioners in their language. Neither Antor nor Asare spoke of ‘British Togoland’ but instead spoke consistently of ‘Western Togoland’ whilst highlighting the alleged harmony when Western and Eastern Togoland were under a single, that is, German administration. Although they did not (yet) follow a straightforward grammar of security, for example by specifying an existential threat, they nevertheless used a vocabulary and rhetorical figures of (in)security: Asare securitised “the barrier between people of the same ethnic group, [as] it had *destroyed* the community of interests and the harmony which they had learned to enjoy during the long period when they had lived together under one government.”²⁴⁵ Furthermore he declared that “The Trusteeship Council had a human problem to solve. It must repair a great wrong and *free the peoples of Togoland from serfdom*.”²⁴⁶ Antor’s rhetoric was even more drastic. In his opening statement he paid tribute “to the Trusteeship Council’s efforts to promote world peace,” highlighting that “he had not made the journey from far away Africa to North America to ask for guns or tanks [...] but merely to request that the peoples of Togoland should be allowed to live in peace and harmony in their own territory.”²⁴⁷

Pedro Olympio and Derman Ayeva, on the other hand, opposed both Ewe and Togoland unification. They argued that any change of administration would only delay the move toward self-government. They argued that not the border, but unification was an artificial idea suggested by an elitist group of Ewe, especially from the Gold Coast, and if it came about, it would separate the Ewe people from the other peoples of the north with whom they had formed a common administration for two generations. They also

243 TCOR, “7th Session” (1950), p. 151.

244 TCOR, “7th Session” (1950), p. 152.

245 Emphasis added, TCOR, “7th Session” (1950), p. 150.

246 Emphasis added, TCOR, “7th Session” (1950), p. 151.

247 TCOR, “7th Session” (1950), p. 151.

repeated the French and British securitising argument of a balkanizing domino effect, that is, if Ewe unification would be granted other ethnic groups would also begin to demand unification under an administration of their choosing, thus balkanizing Togoland into impossibly small units.²⁴⁸

Pedro Olympio's plea served as a smokescreen for the Administering Authorities. His testimony demonstrated for the Belgian representative, Ryckmans, that "a change in administration would be *virtually catastrophic*,"²⁴⁹ and for the French representative, Garreau, that the Council could not accept that Sylvanus Olympio was speaking on behalf of all Ewes. The latter, obviously frustrated, repeated his demand that the UN could have easily supervised a referendum on the Ewe issue.²⁵⁰

The representative of the Philippines, José Inglés, who had distinguished himself as a champion of the right of petition, noted Olympio's frustration and asked him point-blank before the Council whether the Ewe still considered petitions to the United Nations to be at all useful and effective.²⁵¹ Inglés seemed convinced that even though the Administering Authorities recognized the justice of the Ewe cause, they did not wish to see unification achieved.²⁵² Olympio repeated his statement of the previous year that frustration of the Ewe movement could lead to disturbances comparable to the Accra riots. Garreau used this insinuation as an opportunity to suggest that Olympio has sympathies with the communist rioters and should be careful not to incite young people to violence: "The question which the Council was endeavouring to settle was of great importance. It could not be solved by childish methods."²⁵³ The British special representative, however, felt compelled to admit that there had been disturbances in the Gold Coast only to relativize that in the British trusteeship territory itself there had been only a slight outbreak, which had been "caused by infiltrating agitators." However, in order not to get caught up in the debate, he quickly added that the "Ewes would never permit disturbances in their midst."²⁵⁴ Yet, the British delegate, John Fletcher-Cooke, used Olympio's repeated warnings of possible violence against him:

"The work of the Trusteeship Council did not involve it in those questions of violence and aggression with which other organs of the United Nations had to deal and it was therefore strange that anyone in the Council should allude to possible resort to violence. Threats of violence, however discreet they might be; could have no part in the deliberations of the Council. Any suggestion to the contrary would betray the very principles on which Chapters XII and XIII of the United Nations Charter were based."²⁵⁵

Olympio's securitising moves were rebuffed. Yet, the Administering Authorities, securitised that "if the Council allowed the Ewes alone to decide the question of unification, it

248 TCOR, "7th Session" (1950), pp. 152–54.

249 Emphasis added, TCOR, "7th Session" (1950), p. 154.

250 TCOR, "7th Session" (1950), pp. 164–65.

251 TCOR, "7th Session" (1950), pp. 173–74.

252 TCOR, "7th Session" (1950), p. 177.

253 TCOR, "7th Session" (1950), p. 175.

254 TCOR, "7th Session" (1950), p. 177.

255 TCOR, "7th Session" (1950), p. 204.

would implicitly decide the question of the right to secede, and it would thus establish a precedent of incalculable importance, since there were numerous other territories, now independent, whose original frontiers had been arbitrarily drawn.”²⁵⁶ While the unificationist petitioners securitised non-reunification as a danger, the British and French securitised the opposite. The audience for this spectacle of securitising arguments were the other supposedly impartial Council members. But as permanent members of the Council, the British and French had the longer leverage.

The Philippines, Chinese, and Iraqi representatives were captured by the securitisation of the unification argument and unreservedly defended the Ewe cause, stating that the AEC’s claim to represent the Ewe aspirations was indisputable. The Iraqi representative, Khalidy, found that...

“[...] anyone reading the [Visiting Mission’s] report must realize the necessity, not only of finding within the shortest possible time a solution [...] in the interests of peace and security in that part of the world. [...] The Ewe movement [...] presented their case peacefully and with dignity. However, there were circumstances in which the dividing line between peace and violence and between justice and injustice tended to disappear on the slightest provocation. That state of affairs must not be allowed to develop in Togoland.”²⁵⁷

The non-Administering Authorities criticized the joint Anglo-French position as tending to increase disagreement among the Ewes and delay the realization of their just aspirations. They considered the establishment of the EEC superfluous, since all the necessary information was available to the Council.²⁵⁸ Yet, Garreau, on the other hand, repeated that “questions involving boundary changes clearly did not come within the jurisdiction of the Trusteeship Council or the United Nations. Future questions of competence could, under the Charter, be considered only by the International Court of Justice.”²⁵⁹

The American and Argentinian representatives tended toward the presentation of the British and French and supported the idea of the EEC. They submitted a draft resolution,²⁶⁰ welcoming the new Franco-British proposals and recommending that the Administering Authorities take steps to preserve the common characteristics and traditions of the Ewe people in both areas until a final solution can be found.

The Chinese, Iraqi, and Philippines’ representatives jointly submitted an amendment,²⁶¹ urging the AEC to consult with the Ewe people and other residents of the Ewe-inhabited areas and recommend that the Administering Authorities unify the Ewe in both areas. Yet, since Argentina was the only non-Administering Authority to side with the colonial powers, and the Soviet Union was absent throughout the Council’s 7th Session, predictably the amendment was rejected, and the original US-Argentine draft

256 TCOR, “7th Session” (1950), p. 205.

257 TCOR, “7th Session” (1950), p. 221.

258 TCOR, “7th Session” (1950), pp. 221–23.

259 TCOR, “7th Session” (1950), p. 235.

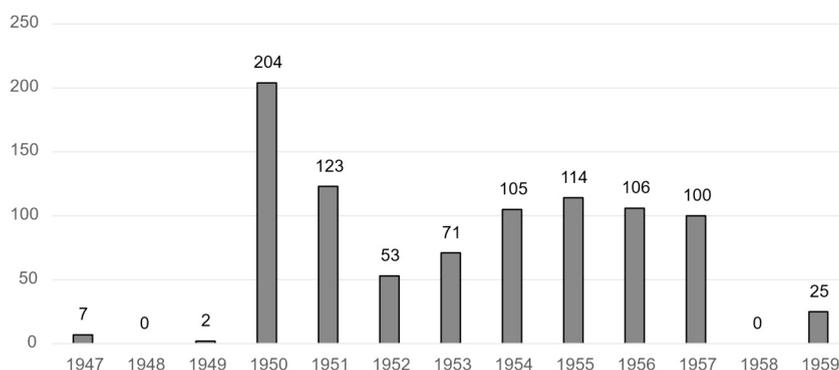
260 T/L.100 available at TCOR 7th Session, Annexes, (T/7S/Annex Vol. II), *Agenda Item 5*, p. 10.

261 T/L.102, available at TCOR 7th Session, Annexes, (T/7S/Annex Vol. II), *Agenda Item 5*, p. 39.

resolution was adopted.²⁶² The Administering Authority were finally asked to report to the Council at the next meeting on steps taken to implement the plan for the EEC.

Thus, at the Council's 7th Session (1950), in three resolutions alone, more than 200 petitions were "settled" by simply referring the petitioners to the positions set forth in the annual reports of the Administering Authorities, which were virtually mandated by themselves to take such action as it deemed appropriate.²⁶³ The Dominican representative, Enrique de Marchena would later comment, that the procedure gave the impression that "the vast majority of petitions were dealt with according to a fixed routine, that mere 'rubber stamp' decisions were taken."²⁶⁴

Figure 4: Written Petitions from Togoland handled by the Council (1947–1959)



Source: Own creation. Calculation based on Repertory of Practice of United Nations Organs Art. 87 (1947–1959).

The *Repertory of Practice* is the most comprehensive statistical source available on the petitions of the Trusteeship System. Yet, the abovementioned debate demonstrates, that the informative quality of the Repertory should be treated with caution. On the one hand, the repertory only shows how many petitions the Council dealt with, not how many it

262 TCOR, "7th Session" (1950), p. 239.

263 Resolution 250 concerning the "Ewe Question" dealt with 140 petitions, while Resolution 272 and 281 concerning British and French Togoland respectively dealt with 68 petitions. Trusteeship Council Resolution 250, Petitions concerning the Ewe question, frontier difficulties and the unification of the Trust Territories of Togoland under British administration and Togoland under French administration, T/RES/250(VII) (14 July 1950), available from <https://digitallibrary.un.org/record/216247>; Trusteeship Council Resolution 272, Question of a general nature as raised in certain petitions concerning Togoland under British administration, T/RES/272(VII) (17 July 1950), available from <https://digitallibrary.un.org/record/216319>; Trusteeship Council Resolution 281, Questions of a general nature as raised in certain petitions concerning Togoland under French administration, T/RES/281(VII) (17 July 1950); some petitions were covered by more than one resolution, see GAOR, "6th Session: 4th Committee" (1951), p. 169.

264 GAOR, "8th Session: 4th Committee" (1953), p. 437.

had before it. On the other hand, it is also not clear from the Repertory how many communications that were intended as petitions were not classified as such by the Council. This inadequacy is evident from the debate on anonymous petitions and petitions that raised questions of ‘general nature.’ Furthermore, the example of the unification petitions shows that it is also not apparent from the Repertory how the subject matter of petitions was considered. In other words, the statistics in the repertory evoke the impression that the petition examination procedure was a successful enterprise. This impression does not stand up to a qualitative examination.

Decision to Boycott (1950)

When the Administering Authorities announced the election to the Enlarged Consultative Commission (ECC), the unificationists, particularly the AEC and the CUT, opposed the two-stage election procedure that the French administration introduced. During the first stage, village chiefs, which were previously appointed by the French administration itself, elected so-called *grand electeurs*, who in a second stage elected the eventual representatives to the ECC. Through this system of indirect elections, the French wanted to ensure that the pro-French candidates of the UCPN and the PTP were elected. The first stage of the elections for the ECC took place on 10 October 1950. Yet, at the second stage on 20 October 1950 the CUT decided to boycott the election for the ECC. Expectedly, the opponents of the unificationists won twenty-seven of the 30 seats allocated to French Togoland.²⁶⁵ De Souza, the President of the CUT, and Olympio petitioned the UN complaining about the electoral process by means of chiefs that were appointed by the French administration in the first place. They raised serious allegations of pressure and excessive influence from administrative officers, arbitrary arrests, and persecutions during the electoral period.

While the AEC and the CUT decided to boycott the elections entirely, the question of whether to boycott the EEC led to a split in the Togoland Union: on one side were the founding members, the ex-Bundarians Awuma, Dumoga, and Asare, willing to cooperate with the Administering Authorities. On the other side were those around the newcomer Senyo G. Antor, who supported the total boycott of the ECC.

The Togoland Union participated in the British Togoland election between 14 August and 9 September, sending the ex-Togobundarian Kofi Dumoga to the ECC. Less than a week before the EEC’s first meeting, on 2 November 1950, Antor organized a meeting of prominent members of state, local government, political parties, and peasant organizations in Borada, Buem State. Informants of the Special Branch were also present.²⁶⁶ This meeting reflected the waning influence of ex-Bundarians in the Togoland Union, and the incipient formation of Antor’s *Togoland Congress* six months later. The meeting resolved the demand that the ECC should be postponed “until the protests and petitions already

265 Amenumey, *The Ewe Unification Movement*, p. 96.

266 TNA (London), FCO 141/5004, *Gold Coast: the Ewe and Togoland unification problem*, Superintendent to Gold Coast Police Commissioner, 9 November 1950.

made be fairly considered and replies received by the various petitioners in the joint territories.”²⁶⁷ But all the same the EEC held its first session in November 1950.

Photo 11: Enlarged Consultative Commission (7 November 1950)²⁶⁸



Source: ANOM (Aix-en-Provence), 1AFFPOL/3297/1, *Affaires politiques*.

Representing the minority opinion for reunification, Kofi Dumoga criticized the other representatives for being more concerned about their “personal security” and, in extension, “the security of Britain and France” than about the future of Togoland as envisioned in the Trusteeship Agreement and the UN Charter. While he viewed the Togoland Union and a unified Togoland state as a peaceful objective, he securitised that “the members of the Commission did not want the situation in Korea to be repeated here.”²⁶⁹ Criticisms such as the Anglo-French language barrier between the two territories could be refuted by peaceful examples such as Quebec. But for all that, Dumoga’s voice drowned in the preponderance of the anti-unification representatives and upon his return his own party forced him to resign as Secretary-General,²⁷⁰ thus clearing the way for Antor to take over the Togoland Union.

It was not until a month after the first session of the EEC that the methods for electing its members were brought up during the General Assembly’s 5th Session (1950). In the Fourth Committee, several anti-colonial states, especially the representative of the

267 PRAAD (Accra), ADM 39/1/676, *Standing Consultative Commission for Togoland*, Commentary on Mr. Antor’s statement to the Trusteeship Council, p. 3.

268 First Meeting of the Enlarged Consultative Commission. In the middle: Charles Arden-Clarke (to his left Mr Dickson and Pédro Olympio) and Governor Yves Digo (to his right Mr. Guillou, Secretary General, and Charles Renner, Consul General of France in Accra.

269 PRAAD (Accra), ADM 39/1/677, *Agenda notes and minutes of the Standing Consultative Commission for Togoland*, Minutes of the 1st Session of the Enlarged Standing Consultative Commission for Togoland, p. 7.

270 PRAAD (Accra), ADM 39/1/94, *Administration of Southern Togoland*, Michael Batse to UN Secretary-General, Togoland Affairs, 11 May 1951, p. 3.

Philippines, confronted France with the petitions by Olympio and de Souza accusing the French authorities of organizing the elections in such a way as to favour the part of the population that was against the unification of the Ewes.

At the same time, several other anti-colonial members of the Fourth Committee complained particularly about the hostility, which the Administering Authorities have adopted toward anonymous petitions.²⁷¹ The Yugoslav representative, Sudjan Prica, criticized the Trusteeship Council for having “too often replied in the vaguest terms to interesting and useful petitions.”²⁷² The representative from the Philippines, Diosdado Macapagal, noted that the Council “tended to discourage appeals to the United Nations against any act or policy of the Administering Authorities and thus to render illusory the right of petition.”²⁷³ Furthermore, Macapagal noted that it was also difficult to reconcile the fact that arrests were taking place on the eve of elections with the pledge given by the Administering Authority during the Council’s previous session.²⁷⁴ The delegates of India, Indonesia, Iraq, the Philippines, and Yugoslavia submitted a joint draft resolution urging the General Assembly to persuade the Trusteeship Council and the Administering Authorities that it was not only important to find an appropriate solution as soon as possible, but also to conduct the elections to the ECC in a democratic manner.²⁷⁵ In particular, the joint resolution called on France, to investigate the practices objected to in the petitions and to report on them at the next meeting of the Trusteeship Council. In addition, the General Assembly requested the Trusteeship Council to report separately to the General Assembly on all steps taken in connection with the Ewe issue.²⁷⁶

Furthermore, the Fourth Committee called on the Council to transform the *ad hoc* Committees on petitions into a *Standing* Committee on petitions, which would be empowered to examine petitions between Council sessions, requiring colonial powers without delay to provide comments and information on measures taken.²⁷⁷ The reaction by General Assembly towards the new procedure was prelude to the decade-long exchange of blows between the Assembly’s Fourth Committee and the Trusteeship Council.

6.4.3 From Ewe to Togoland Unification (1951)

The boycott of the ECC was an expression of frustration with the Trusteeship Council’s passivity toward the demands of the unification movement. Thus, on 7 January 1951, the AEC, the CUT, and the Togoland Union held a joint meeting in Agomé, near Kpalimé, and adopted a resolution that was course-changing in several respects.

271 GAOR, “5th Session: 4th Committee” (1950), pp. 15–20.

272 GAOR, “5th Session: 4th Committee” (1950), p. 15.

273 GAOR, “5th Session: 4th Committee” (1950), p. 20.

274 GAOR, “5th Session: 4th Committee” (1950), p. 21.

275 A/C.4/L.82/Rev.1, available at GAOR 5th Session, Annexes, (T/5/Annexes Vol. I), *Agenda Item* 13, pp. 21–22.

276 GAOR, “5th Session: 4th Committee” (1950), p. 126.

277 GAOR, “5th Session: 4th Committee” (1950), p. 176. General Assembly Resolution 435, *Examination of petitions*, A/RES/435(V) (December 2, 1950), available from undocs.org/en/A/RES/435(V).