LEGAL IMAGINARIES

THE ROLE OF METAPHORS IN SHAPING THE NARRATIVE OF PROTECTION IN THE MANDATE SYSTEM: A STORY OF A PROTECTIVE FATHER AND HIS CONTROLLED CHILDREN

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Metaphors are a ubiquitous tool of rhetoric and aesthetics. Throughout international legal history, they have come in many forms and served diverse purposes. One of their key functions is to shape narratives and serve as a means of concealing the darker aspects of the law. This article focuses on the trust and paternalism metaphors which played this role in constructing a narrative of protection within the discourse of the League of Nations, legitimizing the use of control. The League created a trust-based narrative that emphasized humanitarian rhetoric, moral protection obligations and emotional values, while obscuring the more sinister side of trust as a means of justifying control and exploitation in economic policies. This article explores in particular the trusting parent–child dynamic metaphor which carried significant emotional weight in the relationship between the mandated powers and mandate territories.

Keywords: metaphor; narrative; protection; control; trusteeship; Mandate System.
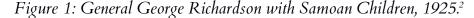
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I. The Story of a Picture: a Protective Father and his Controlled Children

> The savior or the redeemer, the good angel who protects, vindicates, civilizes, restrains, and safeguards. In reality, however, these are merely fronts. The savior is ultimately a set of culturally based norms and practices.[1]

Figure 1: General George Richardson with Samoan Children, 1925.[2]

This black and white picture tells the story of a protective father holding the hands of his trusting children and looking after them. The children gaze up at their father with hope, and they trust his caring and parental guidance for

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[1] Makau Mutua, 'Savages, Victims, and Saviors: The Metaphor of Human Rights' (2001) 42 Harvard International Law Journal 204.

[2] 'General George Richardson with Samoan Children' (National Library of New Zealand, 1925).

their future.[3] In reality it is the picture of General George Richardson, the administrator of Western Samoa, with Samoan children after World War I, in the Mandate System which was created aiming to internationally administer and provide supervised protection for the people and territories previously controlled by Germany or the Ottoman Empire. The image frames a narrative in international legal history as in the Mandate System. The administrators of the mandated territories desired to be perceived in the same way as General Richardson wanted to be seen — as trustworthy fathers who looked after their child races and peoples. The Western powers regarded the mandated territories as their controlled children, representing the rights and duties in this relationship as a parent-child dynamic, to legitimize their global administration in the form of trusteeship. The trust metaphor helped to facilitate the transition from colonialism to the Mandate System, which justified continued control of territories by portraying the administrators as protective father figures who would ultimately grant independence and self-determination to their wards.[4] This picture captures the assumptions inherited from the colonial practices of international law and informal empire. During the creation of the Mandate System, which was considered the 'first great experiment in global governance,'[5] the League of Nations adopted trust and paternalism metaphors in its Covenant based on these colonial assumptions. As a result, the identities of legal actors (such as the Permanent Mandates Commission, mandatory powers, and mandated territories), legal concepts, and principles reflected in the Covenant were all shaped by these metaphors.

Considering this metaphoric picture's assumptions, the main argument of this paper is that the concepts of protection and control are linked in international law, with the language of colonialism serving as the root of this

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[3]   Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire* (Oxford University Press 2015) 176 Figure 6.1 Brigadier General George Richardson as he saw himself, with Samoan children.

[4]   ibid 3, 267.

[5]   ibid 5.

relationship. The idea of protection was often used as a pretext for control, and the moral protection narrative was constructed to justify Western legal systems and institutions imposed on colonized peoples. This paper focuses on the role of metaphors in constructing this paternalistic narrative of protection and shows how this has legitimized control.

In that context, this article delves into the use of metaphors in the discourse surrounding the link between protection and control. Specifically, it scrutinizes the metaphors employed in Article 22 of the League of Nations Covenant that reinforced colonial power dynamics and contributed to the political and economic domination of mandated territories.

By examining the function and power of these metaphors, this article illuminates the consequences of shaping the moral protection narrative with such language. It also explores the emotional appeal of metaphors, particularly during the creation of the Mandate System as a new institution, and the process by which dominant legal discursive communities adopt certain metaphors or metaphor chains while excluding others.

Starting with an exploration of metaphors and narratives in international law (section II), the article delves into the use of metaphors during the Mandate Regime, with a particular focus on Article 22 of the League's Covenant (section III). By analysing the metaphors employed in the language of the Covenant, it demonstrates how they contributed to a moral protection narrative and legitimized control (section IV). In the final section (section V), the article reflects on the power of metaphors in shaping narratives within dominant discursive communities, particularly in the construction of master narratives in international legal history.

II. METAPHORS AND NARRATIVES IN INTERNATIONAL LAW

Brutally simplified, a metaphor is the statement that 'a thing is or is like something it is not'.[6] While novel metaphors easily capture our attention, conventional metaphors, deeply ingrained in language and thought, often go unnoticed.[7] Metaphors serve linguistic, epistemological, and social functions,[8] facilitating understanding of meaning in social contexts.[9] However, metaphors can also be ideological[10] and can mask biases, power dynamics, necessitating critical analysis of the underlying assumptions and beliefs they convey. Furthermore, there exists an epistemological interplay between emotions, narratives, and metaphors.[11]

In international law, metaphors play a crucial role in shaping a shared understanding of legal concepts[12] and emotionally loaded narratives.[13] They

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[6] Aristotle, *The Poetics* (Ingram Bywater tr, Project Gutenberg 2009) 53; Susan Sontag, *Illness as Metaphor & Aids and Its Metaphors* (Penguin Books 1991) 91; Maksymilian Del Mar, 'Metaphors', *Artefacts of Legal Inquiry: The Value of Imagination in Adjudication* (Hart Publishing 2020) 281.

[7] Murray Knowles and Rosamund Moon, *Introducing Metaphor* (Routledge 2006) 4–5.

[8] Raymond W Gibbs Jr., *The Poetics of Mind: Figurative Thought, Language, and Understanding* (Cambridge University Press 1994) 122–134.

[9] Teun Adrianus van Dijk, *Discourse as Social Interaction* (Sage 1997) 50, 245.

[10] Paul Chilton and George Lakoff, *Foreign Policy by Metaphor* (Routledge 1995) 56.

[11] Paul Ricoeur, 'The Metaphorical Process as Cognition, Imagination, and Feeling' (1978) 5 Critical Inquiry 159; Snævarr Stefán, *Metaphors, Narratives, Emotions: Their Interplay and Impact* (Rodopi 2010) 1–2.

[12] Harlan Grant Cohen, 'Metaphors of International Law' in Harlan Grant Cohen, *International Law's Invisible Frames* (Oxford University Press 2021) 220; Maksymilian Del Mar, 'Metaphor in International Law: Language, Imagination and Normative Inquiry' (2017) 86 Nordic Journal of International Law 170, 177.

[13] Michael Hanne and Robert Weisberg, *Narrative and Metaphor in the Law* (University Press 2018) 9; Cohen (n 12) 229.

are tools that visualize narratives[14] and inform international law's past and future. As observed by Koskenniemi,

> European stories, myths, and metaphors not only continue to set the conditions of our understanding of international law's past, they also inform international law's future and global political economy.[15]

Metaphors construct non-neutral narratives with their emotional appeal,[16] concealing dark aspects and power relations.[17] To illustrate, the paternal personification of states and the use of metaphors like community, society, or family in international law presented sovereignty criteria while legitimizing inclusion and exclusion.[18] Orford notes that these gendered and racialized metaphors contribute protection and intervention narratives to obscure exploitation and control.[19] These narratives depict target states as passive and in need of protection by an imagined international community,[20] to be saved from their own weakness.[21] Correspondingly, the Mandate System incorporated Vittoria's 'wardship' and 'trust' metaphors to legitimize power structures which shaped the narrative of moral protection. The 'trust' metaphor, in asymmetrical power relations, initially aiming to prevent

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[14] Martin Lolle Christensen, 'Networks and Narrative : Visualizing International Law' (2021) 13 European Journal of Legal Studies 27, 34.

[15] Martti Koskenniemi, 'Histories of International Law: Dealing with Eurocentrism' [2011] Journal of the Max Planck-Institute for European Legal History 155.

[16] Ricoeur (n 11) 159; Stefán (n 11) 1–2.

[17] Cohen (n 12) 226.

[18] Antony Anghie, 'Finding the Peripheries: Sovereignty and Colonialism in Nineteenth-Century International Law' (1999) 40 Harvard International Law Journal 1, 16.

[19] Anne Orford, 'Muscular Humanitarianism: Reading the Narratives of the New Interventionism' (1999) 10 European Journal of International Law 701.

[20] ibid.

[21] ibid; Ruth Gordon, 'Saving Failed States: Sometimes a Neocolonialist Notion' (1997) 12 The American University Journal of International Law and Policy 971.

exploitation, paradoxically facilitated and justified exploitation, demonstrating the unholy alliance between power and trust.[22]

This function of the metaphors in shaping narratives by dominant discourse communities has not been adequately explored in international law literature, which is the theme of this article. Methodologically, the article employs an interdisciplinary research approach that combines international legal and critical and (post) colonial metaphor and narrative studies. It involves first analyzing Article 22 of the League's Covenant, historical documents, and conducting a critical discourse analysis, while also engaging with the related inter-war and contemporary scholarly literature, to identify paradigms and themes concerning the use of metaphors by the dominant discourse community in the Mandate System that shape a masculine moral protection narrative.

III. METAPHORS IN THE MANDATE SYSTEM

Coming back to the image of the administrator of Western Samoa holding hands with Samoan children, portraying him as a protective father figure. This representation also highlights the use of metaphors in Article 22 of the League Covenant,

> 1. To those colonies and territories […] which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.
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> 2. The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that

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22   Devika Hovell, 'On Trust: The U.N. Security Council as Fiduciary' (2021) 62 William and Mary Law Review 1233.

this tutelage should be exercised by them as Mandatories on behalf of the
League.

Article 22 lays out that territories no longer under the sovereignty of their
former governing states and inhabited by 'peoples not yet able to stand by
themselves' in the modern world are treated as a 'sacred trust of civilization',
which serves as the overarching principle of the mandate system. This sacred
trust emphasizes the moral responsibility of advanced nations to govern and
develop these territories. The term 'tutelage' represents the guidance and
paternalistic care provided by advanced nations to less-developed peoples or
communities, while 'mandatories' refers to the advanced nations assuming
the role of trustees as the caretakers and guardians for the mandated
territories on behalf of the League.

In the legal language of Article 22 of the Covenant, peoples not yet able to
stand by themselves, trust, tutelage, and mandatories hold pivotal
significance as metaphors. They attribute human characteristics as they
contribute to the depiction of the territories under mandate as dependents
and emphasize their inadequacy and weakness, while underscoring the role
of advanced nations in fostering their development. These metaphors are
laden with emotions like sacred trust, guidance, care, and discipline, shaping
the relationship within the mandate system. They depict the paternalistic
relationship between advanced nations and less-developed territories, based
on the sacred trust of civilization. Among all, the metaphor of trust takes
center stage, illustrating the essence of the mandate system, where advanced
nations were entrusted with the sacred responsibility to support and nurture
less-developed territories towards eventual self-governance. The principle of
the sacred trust of civilization dictated that western powers would govern
these old colonies, with their rights and obligations embodied in the
Covenant.[23] The principle involved a trust for native people and a trust for

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[23] Evan J Criddle, 'A Sacred Trust of Civilization', 'in Andrew S. Gold and Paul
B. Miller (eds) *Philosophical Foundations of Fiduciary Law* (Oxford University
Press 2014) 408–409.

the world at large.[24] The League, as the representative of the international community, would assume responsibility for the affected peoples.[25] The western states accepting the trusteeship would be appointed by the League to administer the sacred trust on behalf of the international community in the interests of these populations and in the interest of the international community as a whole.[26]

Taking into account this legal language, in international legal studies trust is considered a metaphor that lacks uniform standardization in law.[27] According to Hovell, the use of the term trusteeship in conjunction with trust has led to a tendency to apply the label in new and diverse contexts.[28] Thus, trust operates as a rhetorical figure, rather than being solely a legal principle or concept.[29] The meaning of trust is contingent on its usage in various contexts and interests, with its legal implications and definitions arising according to context.[30] The concrete interests driving the use of the trust metaphor have a significant impact on its legal and general meaning, which depends on the specific context.[31] Therefore the principle of the sacred trust of civilization has the emotional power to construct morally grounded relationships based on the moral duty and responsibility of the parties involved.[32]

In that sense, the language of Article 22 of the Covenant, and the discourse of the Mandate System were deeply shaped by these trust and paternalistic

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[24] Hessel Duncan Hall, *Mandates, Dependencies and Trusteeship* (Carnegie Endowment for International Peace 1948) 33.

[25] Criddle (n 23) 409.

[26] ibid.

[27] Hovell (n 22) 1233–1235, 1256.

[28] ibid.

[29] Sebastian Spitra, 'Recht und Metapher: Die „treuhänderische" Verwaltung von "Kulturgut" mit NS-Provenienz' in Olivia Kaiser, Christina Köstner and Markus Stumpf (eds), *Treuhänderische Übernahme und Verwahrung* (1st edn, Vandenhoeck & Ruprecht 2018) 55.

[30] ibid.

[31] ibid.

[32] ibid.

metaphors towards the less developed. Colonial international law used society as metaphor[33], which has led to the metaphor of the family of nations. In that sense, the metaphor 'peoples not yet able to stand by themselves' was used to justify the backward status of the mandated territories in that society and continuous narrative of moral protection of European empires who saw themselves as protectors of weaker backward peoples.[34] The Permanent Mandates Commission (PMC) members, including Dannevig and Rappard, saw the natives as children with both lovable and barbarous qualities.[35] Pedersen notes that the PMC members used trust and paternalistic metaphors to describe the colonial peoples as children who needed protection and education before they could 'stand alone', despite the colonial peoples arguing that self-determination was necessary for effective social reform.[36] 'Only after the Second World War did self-government begin to rival good government as the goal of the international trusteeship system.'[37] One might suggest that Dannevig and Rappard in particular clung so closely to a rhetoric that identified colonial peoples with children in order to reconcile their political liberalism with their tasks as imperial overseers.[38] The inhabitants of mandated territories were to be treated gently, but with a firm hand, as if they were children.[39] This approach aligned with the language of

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[33] Anghie (n 18) 16.

[34] See how paternalism was used as an ideal by Wilson to promote the moral protection narrative of natives: 'The notion that Woodrow Wilson approached the race question from a Southern point of view is at best an unsatisfactory oversimplification. It implies that his Southern back- ground had taught him to believe in the superiority of the white race and to regard a paternalistically benign attitude toward colored people as a moral obligation.' Henry Blumenthal, 'Woodrow Wilson and the Race Question' (1963) 48 The Journal of Negro History 1, 1.

[35] Permanent Mandates Commission, *Minutes of the 3rd Session* (1923) 28, 76.

[36] Susan Pedersen, 'Metaphors of the Schoolroom: Women Working the Mandates System of the League of Nations' (2008) 66 History workshop journal 188, 200–201.

[37] ibid.

[38] ibid.

[39] ibid.

the Covenant[40] as the inhabitants were treated in a paternalistic manner rather than being granted individual rights.[41]

While these metaphors may have positive connotations, there exists a darker aspect to their usage. The metaphors of trust, tutelage, and mandate are also employed as analogies within private law, enabling Western powers in their global administration of old colonies to associate these concepts with the idea of possession in a private legal context. In that regard, Brierly elaborated on Arnold McNair's comparison of the Mandate system with the English common law trust and noted that trust, tutelage, and *mandatum* were three analogies with private law, as Article 22 of the Covenant highlights trust as the governing principle of the new institution. To achieve the trust principle, tutelage is considered the most effective method, and *mandatum* defines the approach of its implementation. As such, the idea of possession in a private law sense is linked to the global administration of old colonies by Western powers through trusteeship. This idea is reflected in General Smuts' proposal for the creation of this new institute.[42] Smuts suggested that the League of Nations must be 'the heir to Europe's bankrupt estate, imposing a gigantic task on the League as the successor of the Empires.'[43]

More than forty years after the establishment of the Mandate System, the South West Africa cases addressed the concepts of trust, tutelage, and mandatories, highlighting that these are metaphors, which were misused by the mandated powers, treating them as if they were private law concepts, effectively masking the ideological intentions of the imperial powers. These cases led to a series of legal disputes and advisory opinions concerning the

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[40] Pedersen (n 3) 108.

[41] Taina Tuori, 'From League of Nations Mandates to Decolonization: A Brief History of Rights', *Revisiting the Origins of Human Rights* (Cambridge University Press 2015) 285.

[42] James Leslie Brierly, 'Trusts and Mandates' [1929] British Year Book of International Law 217–219.

[43] Jan Christiaan Smuts, *The League of Nations: A Practical Suggestion* (Hodder and Stoughton 1918) 27.

administration and status of South West Africa under the League of Nations and later the United Nations. The government of the Republic of South Africa, in response, cautioned against the improper application of trust metaphors within the context of the system. In its Preliminary Objections to the South West Africa Cases, the government warned against associating trust, tutelage, and *mandatum* with private law institutions. They pointed out that the 'tutelage of a backward community by an advanced nation could only have been intended in a broad, metaphorical sense.'[44] The government raised questions about the intentions and effects of the tutelage imposed on the peoples of Africa under colonial rule, emphasizing the complex and contested nature of these historical institutions.

Consequently, the trust metaphor in the colonial era was merely an ideological cover-up for the true aims of the imperial powers. Trusteeship allowed exercising control through a 'paternalistic exercise of power'[45], and in that way the imperial powers maintained their dominance. This domination of mandatory powers was hidden behind the trusteeship, which revealed the economic interests of European powers, rather than the well-being of colonial subjects, serving the underlying motivations for imperialism.[46] Moreover, trust, in the Mandate System, is an extension the metaphor of 'wardship' over infants, as compared by McNair to the English common law trust system, where power is transferred to a trustee for the benefit of a 'minor or a lunatic' who cannot manage their own affairs, with an analogy drawn between the abeyance of sovereignty and the common law trust system.[47] The aim was to establish a new system of imperialism

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[44] *South West Africa Cases (Ethiopia v South Africa; Liberia v South Africa)* [1961] ICJ Rep (Preliminary Objections filed by the Government of the Republic of South Africa) 301.

[45] Bernhard Knoll, *The Legal Status of Territories Subject to Administration by International Organisations* (University Press 2008) 68–69.

[46] ibid.

[47] Antony Anghie, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press 2012) 145 'The League's adoption of Vitoria's

under international control, while Western powers would retain practical control.[48] Put differently, the Mandate system was designed to implement humanitarian ideals, but in practice, it often resembled a colonial regime.[49] The use of trust metaphors was significant in transforming the Western powers' claims of absolute ownership to a more moral and humane system of control, which established possession of the rights and duties of the entrusted territories for an uncertain period of time.[50] The Mandate System was based on a dichotomy between trust and distrust.[51] Although the trust metaphor was intended to prevent power exploitation, it paradoxically legitimized the authority of the Permanent Mandates Commission over the mandatory powers.[52] Moreover, the use of trust metaphors in the legal framework justified the global administration of old colonies by Western powers. The Mandate System could treat the rights of colonies as if it were a private law possession and this has legitimized the mandatory powers' political and economic control over the territories. This allowed Western powers to exploit the trust metaphor and maintain control over old colonies. Despite the recognition of the peoples' rights of the mandated territories, the Mandate System viewed them as property which benevolent trustee fathers had the right to possess and control, determining the rights to their children.

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extraordinarily potent metaphor of "wardship" had a number of effects. Most significantly, it reinforced the idea that a single process of development –that which was followed by the European states– was to be imitated and reproduced in non-European societies, which had to strive to conform to this model. This in turn justified and lent even further reinforcement to the continuing presence of the colonial powers –now mandatory powers– in these territories, as the task of these powers was not to exploit, but rather to civilize, the natives. This revival of Vitoria's rhetoric was combined through the Mandate System with a formidable array of legal and administrative techniques directed toward transforming the native and her society.'; Knoll (n 45) 60.

[48]   Tuori (n 41) 285.
[49]   Spitra (n 29) 68, 69.
[50]   Pitman B Potter, 'Origin of the System of Mandates Under the League of Nations' (1922) The American Political Science Review 16.
[51]   Hovell (n 22) 1233.
[52]   ibid.

All-in all, during the transition from colonial rule to the inter-war era, the use of these metaphors in the legal language favored the mandatory powers' interests over the populations of the mandated territories' interests. The trust and paternalism metaphors and the paternalistic assumptions of the system allowed the colonial powers to legitimize denying self-determination to the people in their colonies and keep questions of independence open. These metaphors were protested by the mandated territories, who asserted their ability to stand alone and demanded self-determination. However, their voices were ignored and excluded from the PMC. Pedersen notes that France and New Zealand were able to justify repressive acts through the language of tutelage, with authorities explaining that 'they were protecting their 'primitive' or still-childish charges from the evil influences of agitators or the consequences of their own immaturity.'[53] The populations under mandate opposed this language and metaphors, claiming they were able to stand alone, that they were not children. Arab nationalists argued they had been promised independence and not 'tutelage', while Samoans insisted they were quite as civilized as their New Zealand 'tutors' and well able to 'stand alone'.[54]

IV. THE FUNCTION OF METAPHORS IN SHAPING THE NARRATIVE OF PROTECTION AND LEGITIMIZING CONTROL

The metaphor of trust was always part of the grammar of colonial legal history, starting from Vitoria's vision of the moral duty of protection. Vitoria, a sixteenth-century Spanish theologian and jurist, is considered an early precursor to modern international law, and he justified colonialism by reconceptualizing and inventing legal doctrines to address the unique issues arising from the encounter between the Spanish and the indigenous peoples.[55] He used the metaphor of 'wardship' to illustrate how powerful

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[53]   Pedersen (n 3) 176.
[54]   ibid 276.
[55]   Anghie (n 47) 13.

Western states served as trustees for native peoples.[56] In his lecture titled 'On the Indians Lately Discovered' in 1532, Vitoria argued that the Spanish conquest was justified to protect indigenous people from the cruel and oppressive actions of their own rulers, such as human sacrifice and cannibalism.[57] This legacy of this 'wardship'[58] metaphor and the moral protection narrative shaped colonial and neo-colonialist international law.

The League of Nations adapted Vitoria's 'wardship' metaphor into the language of Article 22 of its Covenant to illustrate the mandatory powers as protectors and caretakers of the mandated states.[59] The metaphor of trust was legalized with the sacred trust of the civilization principle and the concept of trusteeship. Although the Mandates System was the first great experiment in global governance, it was not doing something new.[60] What was new was legalizing and internalizing the metaphor of trust in order to legitimize control of the global administration. Legal language and metaphors were strategically used to be vague in the legal language and silent about the disagreements in this narrative.

Throughout the history of international law, Vitoria's 'wardship' metaphor has reappeared in various forms, such as saviors, protectors, trustees, and

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[56]   ibid 145.

[57]   Francisco de Vitoria and others, 'On the Indians Lately Discovered', *Francisci de Victoria De Indis et De Ivre Belli Relectiones* (The Carnegie Institution of Washington 1917) 115; cited in Criddle (n 23) 406–407.

[58]   Fenwick defines 'wardship' as the status of a political community, including protectorates, colonies, or dependencies, that have limited freedom of action due to another state or group of states acting as trustee or guardian. To be considered under wardship, the community must have some legal rights, either de jure or de facto. The term is not a technical term of international law but describes the status of many states whose position within the international community is not well-defined. Charles G Fenwick, *Wardship in International Law* (Government Printing Office 1919) 5–6.

[59]   Anghie (n 47) 145.

[60]   Pedersen (n 3) 292.

guardians, all aiming to fulfill the sacred trust of civilization.[61] In Mutua's words,

> [t]he savior or the redeemer, the good angel who protects, vindicates, civilizes, restrains, and safeguards. The savior is the victim's bulwark against tyranny. The simple, yet complex promise of the savior is freedom: freedom from the tyrannies of the state, tradition, and culture. But it is also the freedom to create a better society based on particular values. (…) In reality, however, these institutions are merely fronts. The savior is ultimately a set of culturally based norms and practices that inhere in liberal thought and philosophy. (…) the corpus falls within the historical continuum of the Eurocentric colonial project, in which actors are cast into superior and subordinate positions.[62]

According to Mutua, the 'other' was constructed through the metaphors of the savage and victim, portraying native peoples as savages, weak, powerless, lazy, and incapable of creating favorable conditions for their own development.

Consequently, the 'savages–victims–saviors' metaphors have played a significant role in serving as a narrative of moral protection in legal history, eventually evolving into the grand narrative of human rights. These metaphors have created and represented an 'other' perceived as weak and incapable of self-defense, containing a subtext that portrays saviors as rescuing savages. Drawing on Mutua's perspective on the metaphor's role in shaping grand narratives, this article claims that metaphors serve a multifaceted role beyond their function in rhetoric and aesthetics. The Mandate System serves as an exemplar of such a project by adopting the legacy of the 'wardship' metaphor and the narrative of saving and protecting peoples who are deemed incapable of standing on their own. The concept of tutelage and the principle of the sacred trust of civilization allowed the mandatory powers to present themselves as trustworthy, protective fathers guiding the child mandate states toward independence. However, this

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[61] Mutua (n 1) 204.
[62] ibid.

paternalistic and masculinist narrative employs humanitarian rhetoric to justify a moral duty of protection over people deemed 'not yet able to stand by themselves.' This narrative masked the true purpose of exercising economic and political control over mandate territories, while claiming to offer protection. The legacy of this narrative is still visible today.[63]

V. CONCLUSION: A PICTURE HELD US CAPTIVE, YET THERE IS A WAY TO BREAK FREE

This article treated metaphors' hidden role in a picture of a protective father holding the hands of his trusting children and looking after them. The picture illustrated how metaphors were not only a ubiquitous tool of rhetoric and aesthetics but also served multifaceted purposes throughout international legal history. One of their key functions is to shape narratives in international law with their emotional power and as a means of concealing the darker sides of the law. The article examined how the dominant discourse in the League of Nations utilized the metaphors of 'trust' and paternalism to construct a protection narrative that legitimized control. The article also showed the more sinister aspect of this picture. In this uneven power dynamics, the 'trust' metaphor, initially meant to prevent exploitation, ironically ended up enabling and legitimizing it, illustrating the problematic relationship between power and trust, control, and protection.

Aiming to prompt a reflection on a metaphorical image that sets the conditions of our understanding of international law's past and future, the study demonstrated that metaphors in international law often prioritize

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[63] See for the continuity of the role of metaphors in the protection narrative 'It seems the West plans again to come and lighten the darkness. Having found that a number of African states failed or collapsed as nation-states, the West stands ready to put them back together again by governing until they are taught to govern themselves. It is much like parents taking care of their children until the children learn to stand on their own two feet. Indeed, scholars proposing modem trusteeship invoke this very analogy.' Gordon (n 21) 971.

certain people, objects, and frames while neglecting others. Thus, metaphors require critical analysis due to the biases they hold and the power dynamics and interconnectedness with emotions and narratives they contain. Questioning the function and role of metaphors in international law is crucial, as it reveals that what may appear natural or straightforward is actually influenced by power structures and their underlying social, political, cultural, and historical assumptions. When the eye of the international law audience is untrained to see, it may accept the metaphoric images and the assumptions it carries without questioning. A metaphoric picture can hold us captive, yet there is a way to break free.[64]

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[64]   Ludwig Wittgenstein, *Philosophical Investigations* (Basil Blackwell 1986) para 115.