

INTERNATIONAL  
AUTHORITY AND THE  
RESPONSIBILITY TO  
PROTECT

ANNE ORFORD

*O*  
CAMBRIDGE  
UNIVERSITY PRESS

# CONTENTS

*Acknowledgements*  $P^a g^e v_i <$

<b>1</b>	<b>Protection in the Shadow of Empire</b>	<b>1</b>
	The role of the UN in the decolonised world	3
	From deeds into words: systematising peace and protection	6
	The powers of the international executive under the UN Charter	10
	The responsibility to protect and the question of authority	13
	From endorsement to implementation	17
	The normative significance of the responsibility to protect concept	22
	Humanitarian intervention, police action and the responsibility to protect	27
	Recognition, protection and authority: chapter overview	34
<b>2</b>	<b>Practices of Protection: From the Parliament of Man to International Executive Rule</b>	<b>42</b>
	From conference diplomacy to executive action	44
	Neutrality, impartiality and the international civil servant	47
	The space of empire: the UN experiment at Suez	57
	Protecting life and maintaining order: the United Nations in the Congo	69
	The master texts of executive action	87
	The expansion of executive rule and the challenge to international authority	90
	The responsibility to protect and the legacy of Hammarskjöld	103

3	How to Recognise Lawful Authority: Hobbes, Schmitt and the Responsibility to Protect	109
	Civil war and the turn to protection	109
	Thomas Hobbes, natural law and the preservation of life	112
	Carl Schmitt, the European order and protection as war	125
	International executive rule and the politics of protection	133
4	Who Decides? Who Interprets?: Jurisdiction, Recognition and the Institutionalisation of Protection	139
	Jurisdiction, control and the modern state	143
	Completing the Reformation: Hobbes, Bellarmine and the struggle of institutions	150
	Recognition, revolution and the family of nations	161
	International jurisdiction and decolonisation: from form to function	164
	Jurisdiction, recognition and the responsibility to protect	178
	Law, politics and the conflict of competences	186
5	The Question of Status and the Subject of Protection	189
	The crisis of parliamentary democracy in international relations	189
	The impossibility of neutrality	192
	Rethinking functionalism	196
	The form of international rule	199
	The question of status	205
	Revolution, counter-revolution and the future of international law	207
	Institutionalising protection: the work of law and politics	210
	<i>Bibliography</i>	213
	<i>Index</i>	231