6. Recognition of states and governments

Brownlie's Principles of Public International Law (9th edn)
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This chapter begins with a discussion of the ‘declaratory’ and ‘constitutive’ views of recognition. According to the declaratory view, the legal effects of recognition are limited: recognition is a declaration or acknowledgement of an existing state of law and fact, legal personality having been conferred previously by operation of law. The declaratory theory of recognition is opposed to the constitutive view, according to which the political act of recognition is a precondition of the existence of legal rights: in its extreme form this implies that the very personality of a state depends on the political decision of other states. Discussion then turns to the distinction between recognition of states and recognition of governments, collective non-recognition and sanctions, and issues of recognition before national courts.
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