

CAN ABKHAZIA BE A STATE IF PLUTO IS NOT A PLANET? RECOGNITION AND NON-RECOGNITION OF STATUS IN ASTRONOMY, INTERNATIONAL LAW AND POLITICAL SCIENCE.

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Abstract: Status is central to debates on statehood in legal analysis and political science, and the same is true of debates in astronomy on the classification of celestial bodies. The status of both planets and states derives from their respective definitions. The paper compares the distinctions drawn in astronomy, international law and political science between a definition that emphasizes the inherent properties of a planet/of a state and one that, instead, stresses its interactions in a dynamic context with the external world. Astronomers, international lawyers and political scientists are divided on this particular question. Pluto's demotion results from a shift of the majority opinion in astronomy from the former towards the latter approach. The declaratory view on statehood in international law [1] and the concept of 'de facto statehood' in political science [2] are based on the assumption that the essential characteristics that define a state are inherent in the political entity under scrutiny, including its ability to interact with the international community. By contrast, the constitutive view in international law [3] and the political science concept of a 'contested state' [4] stress the dynamic interaction with the international environment, highlighting the significance of state recognition.

In all three disciplines, discussions on definition also include the questions of size and numbers. The term 'dwarf planet' has come up in astronomy, but there is no consensus on whether this constitutes a subcategory of planets or a distinct one. International law has discussed in depth the option of having limited legal rights and duties ascribed to microstates. This option has been abandoned thanks to the principle of the sovereign equality of states [5]. In political science, there are various ways of analyzing the particular behavior of small states and microstates in international relations.

A final point in the comparison is how divergences on definition coexist within these three disciplines. The dynamic contextual definition of planethood is the majority view in astronomy, whereas the majority in international law and political science prefers a definition of statehood that stresses its inherent characteristics. But majority views within subdisciplines – planetary geophysics, international relations, etc. – often diverge from the majority position within the discipline overall.

The 2006 IAU decision has led to acrimonious debates between astronomers about how to define planets, which have no equivalent in the international law literature on the role of recognition in the creation

of statehood or the status of microstates. Where the creation of statehood is concerned, jurists confine themselves to comparing the strong and weak points in the declaratory and constitutive positions. And the concept of a 'de facto state' coexists in political science with that of a 'contested state', even without in-depth methodological discussions.

When it comes to defining contested concepts, international associations of political scientists do not take decisions by majority vote. International lawyers refer to the Montevideo Convention – the last international convention to include a definition of statehood. It was signed in 1933 and it is hard to imagine a new international convention to be signed on this issue in the foreseeable future [6].

According to international law, the act of recognition is a political decision – taken by states – either to acknowledge or to create statehood, and it has legal consequences. These consequences are studied by international lawyers. Political scientists examine the reasons why the international community of states recognizes or does not recognize particular entities as states, and the political consequences thereof. In both cases, they leave the decision (on whether or not to recognize the statehood of a political entity) to states. There is here a division of tasks between states and scholars regarding recognition and non-recognition. A similar division of tasks cannot be found in astronomy: astronomers are very much on their own when they recognize or contest planethood.

References: [1] Grant, T.D. (1999). *The recognition of states: law and practice in debate and evolution*. Westport, Connecticut and London: Praeger. [2] Pegg, S. (1998). *International society and the de facto state*. Aldershot: Ashgate. [3] Lauterpacht, H. (2013). *Recognition in international law*. Cambridge: Cambridge University Press. [4] Geldenhuys (2009). *Contested states in world politics*. London: Palgrave Macmillan. [5] Duursma, J.C. (1996). *Fragmentation and the international relations of micro-states*. Cambridge: Cambridge University Press. [6] Grant, T.D. (1998/99). Defining statehood: The Montevideo Convention and its discontents. *Columbia Journal of Transnational Law*, 37(2), 403–457.