

Applause as a Unilateral Act (Is an image worth a thousand words?)

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Introduction

Art. 38 of the Statute of the International Court of Justice, annex to the UN Charter, contains the list of sources of international law. Treaties, customs and the general principles of law are the ones to be applied by that International Court of Justice. Subsidiary means “for the determination of rules of law” include “judicial decisions and the teachings of the most highly qualified publicists”. Though most international law experts (“international lawyers” or “international-law-minded individuals” according to Akbar Rasulov²) cannot prevent trying to create rules, and many of them long to be the rulers of the World³, “text-writers” are not a source, and have only two functions: “the providing of evidence of what the law is, and the exercise of influence on its development”⁴.

In fact, individuals that act on behalf of States, even without good knowledge of international law, can create obligations. Initially these obligations will be opposable only to that State, but if they become general, they could become new practice, and that could also be a new custom. This in itself is a source of international law. Although there has been a considerable amount of work devoted lately to the study of unilateral acts, and there is a 7th report by Víctor Rodríguez Cedeño as Special Rapporteur of the International Law Commission on the matter, nothing in that corpus addresses an act or deed of States that can originate legal consequences: Applause. A minister of foreign affairs clapping someone or something can be seen as a unilateral act.

Unilateral acts have been described as “declarations of will” made in public by someone who can represent a State (Minister of Foreign Affairs, Head of State or Prime Minister)⁵, aware of the legal consequences of that act. The Special Rapporteur mentions that these declarations are

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² RASULOV, Akbar. *The Structure of the International Legal Discourse*. Page 1. Footnote 1. Paper presented at ESIL’s Florence Founding Conference of 2005. Available on its website. <http://www.esil-sedi.org/english/papers.html>

³ “Modern international lawyers have located the art of making international legal arguments ‘somewhere’ between arguments grounded in sociological reasoning of what is accepted to be the law by states and normative claims about what international law should be”. CALI, Basak. *How Would You Like Your ‘Legal Change’ Done Today, Madam?*. Page 4 Paper presented at ESIL’s Florence Founding Conference of 2005. Available on its website. <http://www.esil-sedi.org/english/papers.html>

⁴ BRIERLY, James Leslie. *The Law of Nations. An Introduction to the International Law of Peace*. Oxford University Press. Sixth Ed. Reprinted. London, 1984. Page 66

⁵ The Special Rapporteur has accepted the possibility that other Ministers might also represent the State abroad in their department affairs.

expressed sometimes in written form, sometimes orally⁶. And although behaviours are excluded (so “estoppel” and “acquiescence” are left out) as are political statements or “gentlemen’s agreements”, these pages will argue that when States “applaud”, they might be assuming international obligations.

This paper does not want to summarize the many years of work done by the Working Group of the International Law Commission, nor does it expect to lead the evolution on the matter. It is obvious that this brief article will not solve the problems and doubts faced by that body of the United Nations. This text will merely try to focus on something that happens and which is not seen as relevant by international law writers. Unilateral acts are not just oral or written but can also be in body language.

Categories

By dividing unilateral acts and behaviours, the International Law Commission has tried to identify the differences between them. Behaviours are always reactive, and reciprocal within a certain context, whereas unilateral acts are a statement, have to be made in public and made with the clear intention of committing the State in an obligation. Behaviours are preferred by States as not being clear enough, as they are more vague. On the other hand, intention in a unilateral act cannot be taken for granted and has to be proved. That is also the case with international customs, which are the cumulative addition of unilateral acts by most of the States of the international society.⁷

It looks as if the five categories into which the International Law Commission has grouped the State practice of unilateral acts were the only real contents of unilateral acts. But recognition, waiver, protest, promise or notification, are just packs of many different acts, which happen to be similar. Those that are dissimilar or which lack any of the characteristics identified as common for each package, are left out as if dismissed as a source of international obligations or rights. Similarly, considering conducts or behaviours as something different to unilateral acts, does not solve the problem of what they are. So concepts should be helpful in understanding the real world of State practice. But they should not create a parallel world, a formal set of patterns to which reality has to adjust, particularly if the set of patterns in itself is not very clear⁸.

⁶ A/CN.4/542. Point 209

⁷ “The evidence of custom may obviously be voluminous and also very diverse. There are multifarious occasions on which persons who *act* or speak in the name of a state do acts or make declarations which either express or imply some view on a matter of international law. Any such act or declaration may, so far as it goes, be some evidence that a custom, and therefore that a rule of international law, does or does not exist; but of course its value as evidence will be altogether determined by the occasion and the circumstances”. BRIERLY, James Leslie. *Op. Cit.* Page 60 (our italics).

⁸“(D)ificultades que sus análisis entraña: la naturaleza de los actos unilaterales, las dificultades para poder tener conocimiento de los mismos, su diversidad, así como *el carácter difuso de muchos de sus rasgos* son escollos relevantes” (our italics) TORRES CAZORLA, María Isabel. “Las dificultades que la Comisión de Derecho Internacional encuentra para codificar un tema controvertido: los actos unilaterales de los Estados” *Revista de Derecho de la Universidad de Montevideo* Page 84.

These concepts have been created by legal writers to analyse whether some unilateral acts are autonomous or not, whether they want to change a status quo of rights or obligations, and they can be helpful. They do not however cover all the ways of communicating the contents.

The following are the three requirements for a unilateral act: Capacity of the actor. Publicity, so that they are not secret. And the will to commit the State into an international obligation. Some authors add a fourth, i.e., the need for the act be licit⁹. Others state autonomy, and then exclude as “behaviours” or “conducts” those acts that happen after another one has provoked it¹⁰.

If recognition is a kind of unilateral act, the ways by which that recognition is transmitted should be forms of recognition, not different categories outside the standard concept of the unilateral act. So, as applause can show recognition, applause should be considered a unilateral act.

Some authors might consider that applause falls into the category “conducts”, as it is a kind of “inferred agreements” expressing a tacit statement of will¹¹. It is based more on an external interpretation than a guessed secret intention. From this approach, the legal presumption is not of what the conduct or applause means, but rather of the certainty of will the conduct is hiding. These would be acts or conducts done specifically to express a negotiation animus, and at the same time they would be a way to help others to deduce that this will was present¹². The issue here is when the conduct is focused on the issue of recognition. Conducts are described, in this concept, as reciprocal. An applause would not suit the concept. But as this concept is not precise either, the problem remains unsolved¹³. The problem is not classification. It is not putting estoppel and acquiescence together in a basket called “State behaviour” or considering them simply as principles by which to modulate the unilateral acts of States¹⁴.

⁹ TORRES CAZORLA, María Isabel. *Op. cit.* Page 80.

¹⁰ “Un acto unilateral se considera como autónomo si la intención de obligarse surge con independencia de la conducta de otros sujetos interesados en una concreta situación internacional, por lo que ha de ser apreciada sólo en relación con dicho acto”. TORRES CAZORLA, María Isabel. *Op. cit.* Page 81.

¹¹ “Declaración tácita de voluntad ... por medio de actos concluyentes e inequívocos (“facta concludentia”), está sometida a una interpretación y valoración de los tribunales objetiva, no buscando tanto la inducción de una voluntad oculta bajo ellos, cuanto el sentido que el comportamiento tiene y la confianza que tales actos suscita en los demás”. JIMÉNEZ GARCÍA, Francisco. *Los comportamientos recíprocos en Derecho Internacional*. Editorial Dilex, S.L. Madrid, 2002. Pages 45-46.

¹² “(E)n la declaración tácita es el sujeto que tiene conocimiento de ella, el que, a tenor de la conducta del declarante, establece que ésta encubre, sin duda, una determinada voluntad. Las declaraciones tácitas consistirán en la realización de actos u observancia de ciertas conductas que, aunque no dirigidas principal y directamente a manifestar el ánimo negocial, permiten inferir la existencia de éste y constituyen una forma mediata de manifestación de voluntad. JIMÉNEZ GARCÍA, Francisco. *Op. cit.* Page 46.

¹³ “las consecuencias jurídicas de los comportamientos unilaterales de los Estados, en cualquier caso, se mueven entre contornos y límites difíciles de clasificar jurídicamente en la medida en que están condicionadas por los principios generales de Derecho y por las circunstancias particulares del caso o situación concretos sobre los que éstos se aplican así como la normativa internacional afectada”. JIMÉNEZ GARCÍA, Francisco. *Op. cit.* Page 23.

¹⁴ TORRES CAZORLA, María Isabel. *Op. cit.* Page 83.

In short, we shall try to see if among those behaviours, political statements, good manners and international comity which are not covered by the definition of unilateral acts offered by the International Law Commission¹⁵, applause can be the source of international obligations and, thus, an international act.

Most of the thinking about unilateral acts has tried to create concepts which encapsulate real facts, and in doing so has had problems in compiling enough State practice to see the features of each concept. But that approach will not address the fact that there are acts or conducts that will be set apart as a nuisance for those concepts, even if these conducts or acts will still create international obligations, expectations or will be meaningful. For instance, if they are not expressed in words. The point of this paper is to consider them.

Words are a condition sine qua non?

Silence can originate international obligations, as acquiescence does. Doing nothing can create a right for others and an obligation for that international subject when it has not protested when it ought. Thus, doing something, even if not expressed in words, should also be a potential source of international obligations.

There are many examples of silent acts done by people on behalf of States that are important enough to be at the crux of an international dispute. Raising a flag on top of a hoist¹⁶ or even sweeping a place can be a proof of a State sovereignty. For instance, Paul Reuter, during the 27th May 1962 audience at the International Court of Justice, while defending the Cambodian point of view on the Préah Vihéar temple case, denied the idea expressed by Thais that clearing the road to the temple was a proof of sovereignty, though recognising that in Jerusalem there are disputes to enjoy “le droit de balayer, d’ôter la poussière, car c’est là une marque de souveraineté”¹⁷.

¹⁵ The fact that the “operative” definition has changed many times might demonstrate that it is not an easy task. First, “a strictly unilateral declaration may then be regarded as an autonomous expression of clear and unequivocal will, explicitly and publicly issued by a State, for the purpose of creating a juridical relationship –in particular, to create international obligations-between itself and a third State which did not participate in its elaboration, without it being necessary for this third State to accept it or subsequently behave in such a way as to signify such acceptance” (A/CN.4/486. Paragraph 170). Then it changed to something slightly different. An “unilateral legal act” means an unequivocal, autonomous expression of will, formulated publicly by one or more States in relation to one or more other States, the international community as a whole or an international organization, with the intention of acquiring international legal obligations” (A/CN.4/500. Paragraph 38). There was a third definition. It was “a unilateral [autonomous] statement by a State by which such a State intends to produce legal effects in its relations to one or more States or international organizations and which is notified or otherwise known to the State or organization concerned” (A/CN.4/L.588. Paragraph 11). There is always a “will”. But it is first a “declaration”, then a “legal act” and finally a “statement”. It will create a “juridical relationship” (first), acquire “international legal obligations” (second) and produce “legal effects” (third). But it is never stated that it has to be expressed in words.

¹⁶ For instance, among many others, the flagstaff war. The conflict is best remembered for the actions of Hone Heke who challenged the authority of the British by cutting down the flagstaff at Kororareka (now Russell).

¹⁷ International Court of Justice. Case concerning the Temple of Préah Vihéar. (Cambodia v Thailand) 1962. Vol. II. *Oral arguments-Documents-correspondence*. Pages. 548-549.

Though unilateral acts have no formal requirements¹⁸, it seems that it is assumed that unilateral acts are words expressed, either in written form or orally¹⁹. But they could also be expressed in other ways.

Among these acts that are not words we could consider shaking hands, not shaking hands, standing up, leaving the hall, clapping or even banging violently a desk with your fist or shoe. Khrushchev did mean something when performing that show with his shoe in the General Assembly of United Nations on October 12, 1960. Possibly protesting with anger against the Filipino ambassador, Lorenzo Sumulong.

Equally, 43 years later, the fact that the then opposition leader did not stand when the US flag passed by during the military parade in Madrid on October 12, 2003, was interpreted by US authorities as something worth a protest and resulted in the absence of the US ambassador in the following year's parade, when Rodríguez Zapatero was the Prime Minister. Finally, something that could be seen just as protocol, like shaking hands with men and kissing women, became a matter to be negotiated between Spain and Iran when a former President of Iran visited Spain, as not touching women and treating them differently from men was seen as an offence.

In December 2003 the Maastricht ministerial council of the OSCE was attended by the acting President of Georgia who, a week before, had ousted the then President, Eduard Shevardnadze by a popular revolt. The speaker of the Georgian Parliament, Nino Burjanadze (who happens to be a Doctor and associate professor in International Law²⁰), had assumed the post of Head of State which had been left vacant and, as the change in power had not taken place strictly according to the Constitution of Georgia, threw doubt as to whether the other States would recognize the new Georgian authorities. The first public event which tested this was the OSCE ministerial Council, where ministers of more than fifty countries were gathered. When she entered the main hall, she was welcomed by the general applause of all the ministers and an express reference to that welcome was done by the Minister of Foreign Affairs of the Netherlands, chairman of the OSCE ministerial council. She sat on the chairing table.

Thus, applauding the new Head of State of Georgia when she was entering the Ministerial Conference of OSCE in Maastricht in December 2003 did mean something. Especially because she was applauded and that those applauding were the Foreign Ministers from more than 50 countries. If, after the brief turmoil, she had taken office a week earlier, the applause might have meant that she was recognised as the new government, and that it supported the revolution that had put her there.

The Ministers could have done something, even protested, perhaps by leaving the hall. But they did not. They did not oppose. They did more than that. But nobody has since explained in written form or orally what that applause meant. Was it just political behaviour without legal consequences, outside the concept of unilateral act? Was it just a political obligation? The

¹⁸ TORRES CAZORLA, María Isabel. *Op. cit.* Page 79.

¹⁹ "With regard to the question of form, it should be observed that this is not a domain in which international law imposes any special or strict requirements. Whether a statement is made orally or in writing makes no essential difference, for such statements made in particular circumstances may create commitments in international law, which does not require that they should be couched in written form. Thus the question of form is not decisive" International Court of Justice. Nuclear Tests Case. *Australia v. France. ICJ Reports*. Paragraph 45. Pages 267-268.

²⁰ Her actions or writings are a potential source of international law while in office. Her previous opinions or those that she might write afterwards are not to be considered as anything but legal doctrine.

question is that there, in OSCE, all obligations are supposed to be just “political” but in fact they all function as rules of international law.

Yet another example of support expressed by the clapping of hands is the applause the Spanish Prime Minister received at the spring 2006 European Council after the terrorist group ETA announced a permanent ceasefire. That could only mean that the heads of government or State that were gathered there supported his political approach to that sensitive matter. But that was clearly just a political act, as otherwise it could have been seen as an interference in the internal affairs of another State.

Not all applause by heads of State, heads of government or ministers of foreign affairs made in public however mean the same thing. On January 1st 2006, Angela Merkel, Janez Jansa and Wolfgang Schüssel did in fact clap rhythmically together. But they did so with all the other members of the public attending the New Year Concert at the Musikverein in Vienna, when the orchestra played the Radetzky’s March. They were the heads of government for Germany, Slovenia and Austria respectively, and the applause had many millions of spectators, given that it was seen on television. But it did not hold any meaning for their States.

So although apparently similar, there has to be a difference that makes some applause meaningful and other applause just a way to express personal happiness or courtesy.

Applause is a social behaviour. It is unilateral but usually made in public, together with many other individuals. It spreads easily and sometimes is a just an unconscious reflex²¹. It can become a way to express approval. Its length can mean greater or lesser approval²². Slow and individual applause can be a sort of irony. But its rhythm can even be used as an instrument for music²³. Not clapping when everybody else is applauding is a way to express dissatisfaction²⁴. But sometimes clapping is just a way of being “gentle”, not an expression of support²⁵. Because although never asked, some applause is sometimes expected. But applauding in the middle of a concert is something that should not be done.

The science of non-verbal communication is called kinesis. It covers gesturing, touching, eye contact, posturing, tics, distance, smiling and so on. From that approach, applause could be

²¹ Apes also clap when they are taught to. For instance, Clint Eastwood is applauded by an orang-utan in one of his movies (“Any Which Way You Can,” 1980) So there can be applause without being conscious of it having any meaning.

²² It is well known that in totalitarian States, as in communist countries, their parliaments were used to having long lasting applause after the leader had offered the speech, and its length was due to the fear of being seen as the first ones to stop. Perhaps due to that, applause was slow and monotonous, uniform and not spontaneous as ruled by a procedure fixed by the authorities.

There is even a dispute about the longest applause in History. Vid.: http://www.poynter.org/content/content_view.asp?id=73646

²³ In flamenco music, for instance, there are “palmeros” whose task is just to clap according to the rhythm needed.

²⁴ As an example, when the new project of Statute for Catalonia was recently approved by the Spanish Parliament’s lower house, the politicians of the Republican Catalanist party made it obvious that they did not applaud, and that expressed their position that the text was not the one they wanted.

²⁵ If the King of Cambodia, who previously was a professional ballet dancer, had to open a ball and after that he was applauded by other countries’ authorities, that could not be seen as a support to that country’s political agenda but just a sign of courtesy.

seen as a gesture, used as an emblem that could easily be translated into words. But kinesics does not say when to use them, just what it tries to express.

Protocol rules, etiquette and books on good manners have no instruction, either, about when to applaud, how long it should last, and when it should stop. Applause is a social conduct which is not ruled by protocol. It has a meaning. Psychology has not offered a distinct typology of applauds either. But “applause” is mentioned in literal transcripts, in minutes of discussions or published in Hansards or gazettes of parliaments and assemblies, so it must be more meaningful than “drinking water”, “scratching his head” or “coughing”, which are not mentioned²⁶. It must be at least as meaningful as “signing” or “rose”, which are also mentioned.

So the point where applause can be differentiated and be considered as a unilateral act is when it is made in public by persons that can represent a State who are aware that body language done with the hands is expressing a decision, a will to commit the country or who feel that they have to do so as it is legally compulsory. So the main difference is psychological. It needs testing and it is difficult to see whether the person that clapped is now denying the will, the idea of legal obligation or is reverting the decision that then was expressed.

Intention as the key element. From courtesy to legal obligation.

The line between courtesy and legality is not as clear as would be preferable²⁷. As “*opinio iuris sive necessitatis*” is the element that makes a use become a custom, an “*opinio iuris*” or a will to create an obligation will change an applause from being a mere expression of good manners into becoming the silent (un-oral or un-written) declaration of a State or any other subject of international law. The context in which this applause has been delivered will help it to be understood as just a social act or to see the meaning in international law.

The fact that many UN resolutions or documents include the reference to applauding²⁸, or that the body just “applauds”, even if being just metaphorical, confirms the fact that applause is a way of expressing support without having to say a word. Applause can create obligations in international law. Its practice, from now on, will have to be analysed with more caution.

The problem will then be to identify the real intention in an objective manner. To find evidences of that intention. To interpret and to reconstruct the will that was in the spirit of the person who was doing the act. But that might be just the interpretation, not real intention.

There are several meanings of “applause” as found on the internet. The first one is “approval expressed especially by the clapping of hands”. There is also “clapping; expression of approval” and even applause as “a form of mass nonverbal communication, it is a simple

²⁶ On the UN website, there are many documents where “Applause” or “Much applause” or even “Applause and cheering” is mentioned, within brackets.

²⁷ “There are many international acts, e.g., in the field of ceremonial and protocol, which are performed almost invariably, but which are motivated only by consideration of courtesy, convenience or tradition and not by any sense of legal duty” International Court of Justice. North Sea Continental Shelf Case. *ICJ Reports*. 1969. Page 44

²⁸ Searching through the UN website, there are hundreds of Press releases, speeches by authorities from countries attending UN meetings or even the Secretary general himself, where it is said that a body or an authority are “applauding” something. They are not clapping hands, but just refer to it as a idea that is equal to support. If the word “applauds” or “applauding” is used in all these papers as synonym of “supports” or “supporting”, why should the factual “applause” not also be understood as such support?

indicator of the average relative opinion of the entire group; the louder and longer the noise, the stronger the sign of approval” and that “celebrities in other fields such as politics, may also receive applause when they first appear on stage, before they deliver a speech or their first speaking part. This accolade is given in response to his or her past achievements and is not a reflection of the performance the audience is attending”.

Applause can be a way to express welcome, recognition, positive assessment, all in a non-written code of conduct all based on usual behaviour. But all easily comprehensible. The reasons for applause are the same as those for a standard unilateral act such as recognition expressed by a press release or a statement. There has to be a special circumstance that makes it meaningful. But it might mean the same. The difference is in the way it is communicated. So applause does exist in international law as a way to express support. Applause is a possible unilateral act.

Applause has legal consequences in international law. Well, some kinds of applause at any rate. So applause has to be studied as a non verbal expression of support by international subjects towards a situation or another subject. Not all applause is simply ruled by protocol, tradition or convenience as the International Court of Justice seemed to assume. Even if there is an ambiguous line between the common applause and that applause which has international legal effects, this should not be a reason for ignoring this reality. The limits for unilateral acts or conducts are not clear either.

Furthermore, applause is not just a sign of courtesy, a protocol gesture, or the source of non legal obligations, be these “political” or “gentlemen’s”. The motivation behind the gesture might be left unclear on purpose, in other words, in a kind of limbo where all these obligations lack the features attached to law. These are the sort of obligations in OSCE. They are all said to be just political. But they function as any other legal obligation of international law. They have to be carried out and if they are breached, there are different ways of ensuring their fulfilment. Even if they are not very effective. But that also happens with most of international law rules. And that does not prevent them from being legal.

Taking again the case of the applause with which the new President of Georgia was received in Maastricht at the Ministerial Council on the 1st December 2003, it should be noted that there was agreement on her being there representing Georgia. But this was the only agreement. Georgia was one of the priority issues that day. Not all States attending the meeting agreed on their handling. Especially those parts referred to South Osetia and Abkhazia.

As it was clearly stated in the Conference/meeting document, there was such an open disagreement on Georgia among some countries “participating in OSCE” that its final statement on Georgia was finally deleted. Russia did not share other countries’ position –Georgia and the US among them- and did block the adoption of that text and even complained about the reference made in the “Chairperson’s perception statement”²⁹.

This is why the Georgian delegation had to make a statement, as it was “deeply disappointed at the absence of any regional statement on Georgia and (felt) obliged to once again

²⁹ “Most Ministers noted with satisfaction that the recent crisis had been solved by peaceful means and called upon all parties to continue to show restraint and settle all problems within the framework of the constitution. Positive developments in Georgia would also contribute to peace and stability in the whole of the South Caucasus. Most Ministers confirmed their commitment to assist Georgia in the further progress of stabilization and of consolidation of democracy... As political change in Georgia is proceeding, resolution of conflicts in the country remains as urgent an issue as ever before.” MC.DOC.1/03 . 2 December 2003. Pages 97-98.

make a clarification of its position on this unfortunate development³⁰. The European Union³¹, Portugal, United States³² and others also made clear that they regretted that lack of consensus on the other aspects related to Georgia. But they all expressed satisfaction at how the internal crisis had been resolved. There was no mention of any recognition of the new government in the paper as had been expressed publicly, by the Ministers of Foreign Affairs, when applauding the new President of Georgia. So applause had a meaning in an international forum. Applause had been a way to create an obligation in international law.

Ministers clapped in public, and even if they were not aware of the different theories on recognition of governments³³, they were conscious that they were doing something which had to be done, on behalf of the State they were representing, in that concrete context. Especially as press (mainly TV channels), were there, taking images of the meeting. Ministers were aware that a picture of them clapping, seen in newspapers or on the evening TV news, would be seen at home, and that this would send many messages. One of them, their international role as a country. It is a much better picture than just being sat with the headphones on, which could be interpreted as a waste of time doing nothing.

Conclusion

Reports from “experts” and essays from “publicists” are trying to identify the main features of international acts as sources of international obligations. They are having problems in gathering all the practices and also finding it difficult to group those categories in a way acceptable to everybody. Nevertheless, the two big groups, namely unilateral acts and State behaviours, have in common the assumption that they are words expressed in public, either orally or in written form. This brief note, even if anecdotal, has tried to show the possibility that legal ideas or wills can be expressed without words. This text does not want to create a new category or concept, but just expects to open a new area of study, that of State behaviours and acts that are meaningful without words. They are relevant to international law when performed by State authorities in public and they have a sense that cannot be ignored. Expressing the same would require thousands of words. Intuitive rules, cultural rules and rules that do not need explanations nor any deep knowledge of international law, offer that meaning, that is understood by anyone who sees it. Applause is the clearest example of this image that is worth a thousand words.

³⁰ MC.DOC.1/03 . 2 December 2003. Page 106.

³¹ MC.DOC.1/03 . 2 December 2003. Page 99.

³² MC.DOC.1/03 . 2 December 2003. Page102.

³³ I did ask the Minister of Foreign Affaire of the delegation I was with which doctrine (effectiveness or legality) they followed as far as recognition of governments was concerned. The Minister did not answer the question, but kept on clapping, convinced of what he was doing. So categories were not essential to understand what was at stake.