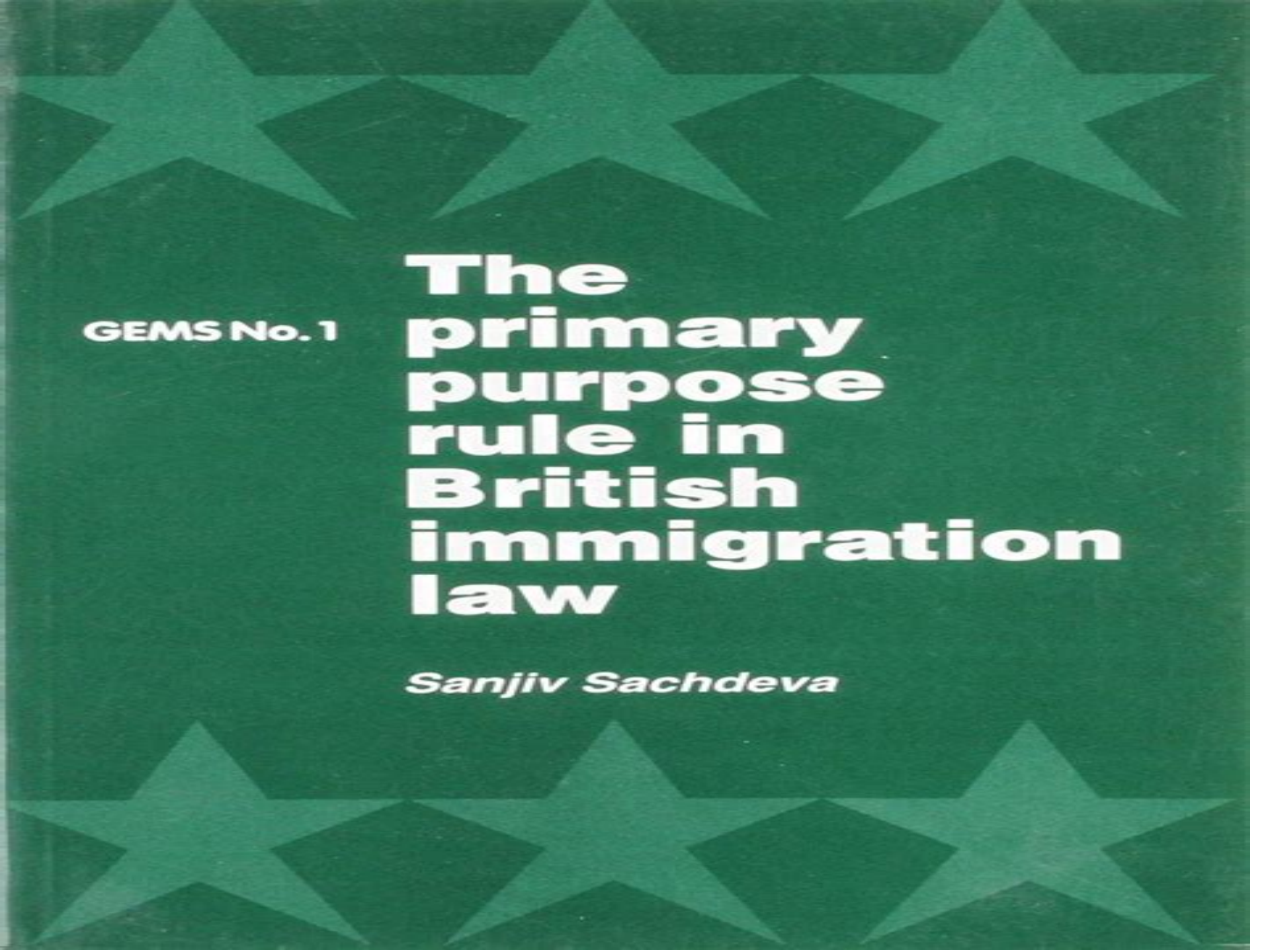




GEMS No. 1

**The
primary
purpose
rule in
British
immigration
law**

Sanjiv Sachdeva

Primary Purpose Rule In British Immigration Law

Randall Hansen



Primary Purpose Rule In British Immigration Law:

The British Immigration Courts Max Travers,1999-07-28 This study examines the work in the court system that hears appeals from immigrants and asylum seekers against decisions made by the British government It considers the administrative problems and the perspective of pressure groups and politicians Regulating Marriage Migration into the UK Helena Wray,2016-04-08 Marriage migration is a controversial and problematic issue in the UK as elsewhere in Europe This timely analysis is a comprehensive examination of the regulation of marriage migration into the UK With international relevance the book uses the analysis to examine the relationship between government priorities and the dynamics of transnational family life The book is one of the first to scrutinise the control of UK marriage migration after 1997 and explores the dilemmas faced by the post 1997 government in managing this form of migration in a changed domestic and international environment Using high quality sources from across the political spectrum it analyses regulatory decisions made by government the judiciary and the visa service and suggests that there is an unofficial and unarticulated hierarchy predicated on assumptions and beliefs about acceptable marriages Finally the book establishes a principled basis for the future regulation of marriage migration Immigration and the Nation-State Christian Joppke,1999-04-08 In this important and timely new study Professor Joppke compares the postwar politics of immigration control and immigrant integration in the United States Germany and Britain three liberal states characterized by sharply distinct nationhood traditions and immigration experiences Mapping out the many variations between these cases the book focuses on the impact of immigration in the two key areas of sovereignty and citizenship In Part 1 the author analyses the effect of immigration control on state sovereignty arguing that liberal states are self limited by interest group pluralism autonomous legal systems and moral obligations toward particular immigrant groups the weight of these factors differing across particular cases In Part 2 he addresses the ways in which immigrant integration impacts upon citizenship arguing for the continuing relevance of national citizenship for incorporating immigrants albeit modified by nationally distinct schemes of multiculturalism In the face of current diagnoses of nation states weakened by the external forces of globalization and international human rights regimes and discourses Professor Joppke demonstrates that in relation to immigration at least nation states have proved remarkably resilient Not only does this book offer an thorough insightful examination of the immigration experiences of the USA Germany and Britain it also makes a powerful contribution to the growing macro sociological and political science literature on immigration citizenship and the nation state *Partnership Rights, Free Movement, and EU Law* Helen Toner,2004-12-31 This book considers the case for modernising partnership rights in EC family reunification law Existing Community law traditionally guarantees immigration rights only to spouses and yet there is a growing diversity of national laws on same sex marriage registered partnerships and recognition of cohabitation The Community institutions which have recently framed new legislation seem to view this as a question that can be settled by political agreement with little or no

outside constraint The book challenges this assumption The book outlines recent developments in national legal systems and traces the development of the recent Community legislation Then drawing on basic ECHR principles the place of the ECHR in Community law and on basic Community law principles of free movement and discrimination the book argues that the right of a migrant EU Citizen to family reunification for a cohabiting partner is presumptively protected and therefore justification for refusing to admit such partners must be provided It also considers the possible justifications for marriage partners only immigration policies and concludes that although possible such justifications are far from certain to succeed The discussion also tackles the question of whether judicial activism is appropriate or whether there should be judicial deference to the legislative process recently completed The book concludes with a wider discussion of the proper response of Community law to the increasing diversity of Member States family laws and policies beyond the field of immigration rights The book will be of value not only to immigration lawyers but also to those interested in partnership rights generally as well as to a wider audience of EU lawyers primarily academics but also graduate students and practitioners British Immigration Policy

Under the Conservative Government Asifa Maaria Hussain, 2017-07-12 This title was first published in 2001 This thought provoking book examines the repercussions of British immigration policy under the Conservative government for individuals from the developing countries using primary empirical data It is a well informed balanced and empirically sophisticated study which is suitable for courses on politics ethnic studies and law *Islam, Sharia and Alternative Dispute Resolution*

Mohamed M. Keshavjee, 2013-06-30 The meanings and contexts of Shari a are the subject of both curiosity and misunderstanding by non Muslims Shari a is sometimes crudely characterised by outsiders as a punitive legal system operating broadly outside and separate from national laws and customs This groundbreaking book shows that Shari a and its fiqh laws set forward by various Islamic legal schools comprise a far more nuanced matrix of interpretations than is often assumed to be the case Far from being monolithic or impervious to change from without Muslim legal tradition has since its beginnings in the early Islamic period placed an emphasis on equity and non adversarial conflict resolution Mohamed Keshavjee examines both Sunni and Shi a applications of Islamic law demonstrating how political cultural and other factors have influenced the practice of fiqh and Shari a in the West Exploring in particular the modern development of Alternative Dispute Resolution ADR the author shows that this process can revitalise some of the essential principles that underlie Muslim teachings and jurisprudence delivering not only formal remedies but also perceived justice even to non Muslims

Citizenship and Immigration in Postwar Britain Randall Hansen, 2000-06-01 In this contentious and ground breaking study the author draws on extensive archival research to provide a new account of the transforamtion of the United Kingdom into a multicultural society through an analysis of the evolution of immigration and citizenship policy since 1945 Against the prevailing academic orthodoxy he argues that British immigration policy was not racist but both rational and liberal In this ground breaking book the author draws extensively on archival material and theortical advances in the social science

literature *Citizenship and Immigration in Post war Britain* examines the transformation since 1945 of the UK from a homogeneous into a multicultural society Rejecting a dominant strain of sociological and historical inquiry emphasizing state racism Hansen argues that politicians and civil servants were overall liberal relative to the public to which they owed their office and that they pursued policies that were rational for any liberal democratic politician He explains the trajectory of British migration and nationality policy its exceptional liberality in the 1950s its restrictiveness after then and its tortured and seemingly racist definition of citizenship The combined effect of a 1948 imperial definition of citizenship adopted independently of immigration and a primary commitment to migration from the Old Dominions locked British politicians into a series of policy choices resulting in a migration and nationality regime that was not racist in intention but was racist in effect In the context of a liberal elite and an illiberal public Britain's current restrictive migration policies result not from the failing of its policy makers but from those of its institutions

The Legal Elements of European Identity Elspeth

Guild, 2004-01-01 The individual has become visible throughout Europe and within its institutions as a potential or actual rights holder He or she is no longer defined as visible or invisible in law by the nation state alone In today's Europe he or she establishes identity that is the rights to entry residence work family life and protection from expulsion through a multilayered legal structure involving the nation state the EU and the Council of Europe and all their political administrative and judicial arenas In this remarkable study Elspeth Guild examines the ways in which law in Europe defines the status of the individual and his or her entitlements as regards identity Among her enlightening approaches to this complex subject the following may be listed the right to move across borders the limitations of citizenship of the Union as currently construed social benefits of citizenship residence immigration family reunification human rights of foreigners asylum expulsion and readmission racial discrimination and long resident third country nationals The analysis includes extensive reference to relevant cases especially European Court of Justice and European Court of Human Rights decisions This is a work of great value and insight As more and more legislation is adopted in the area of European citizenship courts will increasingly be called upon to articulate the relationship of individuals to the territory and society in which they find themselves And as this inevitable development is defined all jurists and legal academics who care for civil society in Europe will discover this deeply considered book afresh

The Ashgate Research Companion to Migration Law, Theory and Policy Satvinder S. Juss, 2016-03-23 The Ashgate Research Companion to Migration Law Theory and Policy complements the already successful Ashgate series Law Migration established in 2006 which now has a number of well regarded monographs to its credit The purpose of this Companion is to augment that Series by taking stock of the current state of literature on migration law theory and policy and to sketch out the contours of its future long term development in what is now a vastly expanded research agenda The Companion provides readers with a definitive and dependable state of art review of current research in each of the chosen areas that is all embracing and all inclusive of its subject matter The chapters focus on the regional and the sub regional as well as the

national and the global In so doing they aim to give a snap shot that is contextual coherent and comprehensive The contributors are both world renowned scholars and newer voices and include scholars practitioners former judges and researchers and policy makers who are currently working for international organisations

The First Decade of EU Migration and Asylum Law Elspeth Guild,Paul Minderhoud,2011-11-25 More than a decade has passed since the appearance of the first issue of the European Journal of Migration and Law which was established to examine the intertwining of issues of law and migration in the EU This volume has been compiled to celebrate that anniversary

The Concept of Marriages of Convenience in EU Free Movement Law Aleksandra Ancite-Jepifánova,2024-10-21 Over the past two decades EU Member States have regularly complained about the perceived abuse of EU law via marriages of convenience allegedly contracted between mobile EU citizens and third country nationals During the pre Brexit years the UK had been voicing particularly strong concerns about the issue which ultimately resulted in regulatory changes both at the EU and national level In this book Aleksandra Ancite Jepif nova pursues two interrelated aims First she evaluates the compatibility of EU level measures addressing marriages of convenience with EU free movement law by focusing on the Citizenship Directive Second she examines the regulation of the issue in UK law in so far as it concerns the residence rights of EU citizens and their family members both pre and post Brexit

Marriage Rites and Rights Joanna Miles,Perveez Mody,Rebecca Probert,2015-09-24 Recent years have seen extensive discussion about the continuing retreat from marriage the increasing demand for the right to marry from previously excluded groups and the need to protect those who do not wish to marry from being forced to do so At the same time weddings are big business couples are spending more than ever before on getting married and marriage ceremonies are increasingly elaborate It is therefore timely to reflect on the rites of marriage as well as the right to marry or not to marry and the relationship between them To this end this new interdisciplinary collection brings together scholars from numerous fields including law sociology anthropology psychology demography theology and art and design Focusing on England and Wales it explores in depth the specific issues arising from this jurisdiction s Anglican heritage demographic development current laws and social practices

Immigration Controls, the Family and the Welfare State Steve Cohen,2001 For social and welfare workers the complexities of immigration law may at first appear daunting In this book Steve Cohen examines the law as it applies to the family and welfare giving pointers for good practice

Migration, Diasporas and Legal Systems in Europe Prakash Shah,Werner Menski,2020-09-10 At a time when issues concerning migration and the formation of diasporic communities have come to be critical for all European legal systems this volume reflects discusses and analyzes the questions raised by diasporas who have established themselves in Europe over more than fifty years of immigration and the challenges faced by legal systems in the light of continued migration Contributors from a broad range of backgrounds address prominent issues ranging from legal pluralism among minorities pressures on EU accession states irregular migration state control of family reunification and formation in light of human

rights laws challenges for citizenship and nationality laws and the implementation of visa rules and juxtaposed control zones Besides the EU as a supranational legal order the book contains discussion of conditions in the United Kingdom Ireland France Spain Gibraltar Morocco Greece Turkey and Lithuania This volume accompanies The Challenge of Asylum to Legal Systems and is the second book to emerge from the W G Hart Legal Workshop held in 2004 at London s Institute for Advanced Legal Studies

Article 8 ECHR, Family Reunification and the UK's Supreme Court Helena

Wray,2023-02-09 How do courts reconcile protecting family life with immigration control in human rights cases This book addresses that question through an analysis of 11 UK Supreme Court decisions on immigration and family life mostly focusing on Article 8 ECHR the right to respect for family life and starting with Huang v SSHD in 2007 The analysis is set against a national context that includes the Human Rights Act 1998 and regular controversies over immigration The book explains how the European Court of Human Rights jurisprudence has developed in recent years but particularly in the absence of children it often still awards little weight to claims by citizens and residents to be joined by family when immigration status is an issue This reflects governments resistance to encroachment on their control over borders The Supreme Court decisions show that despite powers conferred by the Human Rights Act a more nuanced position in domestic law was difficult to articulate and sustain The book explores the way in which these problems were reflected in the changing language argumentation and structure of judgments These problems revealed judges to be strategic actors drawing on personal and institutional values and responding to the shifting political context A more generous reading of Article 8 would be legally coherent but needs wider societal support to be realisable The book ends with a discussion of how if such support were present the jurisprudence could give more weight to the needs of families It is vital reading for anyone interested in families and immigration and in the problems and potential of human rights adjudication Judicial Review and Social Welfare

Trevor Buck,1998-08-13 The essays that comprise this collection focus on the impact and future developments of judicial review in a number of social welfare situations that include homelessness housing benefit immigration and social security to name but a few

Immigration in the 21st Century Terri Givens,Rachel Navarre,2020-04-29

Immigration policy is one of the most contentious issues facing policy makers in the twenty first century Immigration in the Twenty First Century provides students with an in depth introduction to the politics that have led to the development of different approaches over time to immigration policy in North America Europe and Australia The authors draw on the work of the most respected researchers in the field of immigration politics as well as providing insights from their own research The book begins by giving students an overview of the theoretical approaches used by political scientists and other social scientists to analyze immigration politics as well as providing historical background to the policies that are affecting electoral politics A comparative politics approach is used to develop the context that explains the ways that immigration has affected politics and how politics has affected immigration policy in migrant receiving countries Topics such as party politics labor migration and

citizenship are examined to provide a broad basis for understanding policy changes over time Immigration remains a contentious issue not only in American politics but around the globe The authors describe the way that immigrants are integrated their ability to become citizens and their role in democratic politics This broad ranging yet concise book allows students to gain a better understanding of the complexities of immigration politics and the political forces defining policy today Features of this Innovative Text Covers hot topics including party politics labor migration assimilation and citizenship both in the United States as well as globally Consistent chapter pedagogy includes chapter introductions conclusions key terms and references An author hosted Website is updated regularly www.terrigivens.com/immigrationresources **Can**

We All Be Feminists? June Eric-Udorie, 2018-09-25 As timely as it is well written this clear eyed collection is just what I need right now Jacqueline Woodson author of *Brown Girl Dreaming* The intersectional feminist anthology we all need to read Bustle edited by a feminist activist and writer who calls to mind a young Audre Lorde Kirkus Why do some women struggle to identify as feminists despite their commitment to gender equality How do other aspects of our identities such as race religion sexuality gender identity and more impact how we relate to feminism Why is intersectionality so important In challenging incisive and fearless essays all of which appear here for the first time seventeen writers from diverse backgrounds wrestle with these questions and more A groundbreaking book that elevates underrepresented voices *Can We All Be Feminists* offers the tools and perspective we need to create a 21st century feminism that is truly for all Including essays by Soofiya Andry Gabrielle Bellot Caitlin Cruz Nicole Dennis Benn Brit Bennett Evette Dionne Aisha Gani Afua Hirsch Juliet Jacques Wei Ming Kam Mariya Karimjee Eishar Kaur Emer O Toole Frances Ryan Zo Samudzi Charlotte Shane and Selina Thompson

Constitutional Dialogues in Comparative Perspective S. Kenney, W. Reisinger, J. Reitz, 1999-01-28 From Russia and Hungary to the United States and Canada including Britain France and Germany courts are increasingly recognised as political institutions that are important players in political systems In addition transnational courts such as the European Court of Justice and European Court of Human Rights are extending their reach and affecting more than ever the politics of member states The book contains essays written by scholars of law and political science exploring in interdisciplinary fashion the relationship between law and politics in cross national perspective focusing principally on contemporary Europe **The**

Family in Question R. D. Grillo, 2008 The family lives of immigrants and ethnic minority populations have become central to arguments about the right and wrong ways of living in multicultural societies While the characteristic cultural practices of such families have long been scrutinized by the media and policy makers these groups themselves are beginning to reflect on how to manage their family relationships Exploring case studies from Austria the Netherlands Norway Portugal Spain Switzerland the United Kingdom and Australia *The Family in Question* explores how those in public policy often dangerously reflect the popular imagination rather than recognizing the complex changes taking place within the global immigrant community In hoeverre allochtonen vrij zijn hun cultuur te uiten in de multiculturele samenleving staat bijna dagelijks ter

discussie in de media en politiek Vaak wordt vergeten dat ook migrantenfamilies zelf worstelen om hun tradities en gebruiken vorm te geven in een pluriforme samenleving waarin relaties met familie zeer complex kunnen zijn In The Family Question worden migrantenfamilies in onder andere Nederland Oostenrijk en Noorwegen onderzocht Hieruit blijkt dat spelers op het vlak van beleidsvorming vaak toegeven aan populaire misverstanden over allochtonen en zo bijdragen aan de heersende xenofobie en stereotypering van immigranten

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