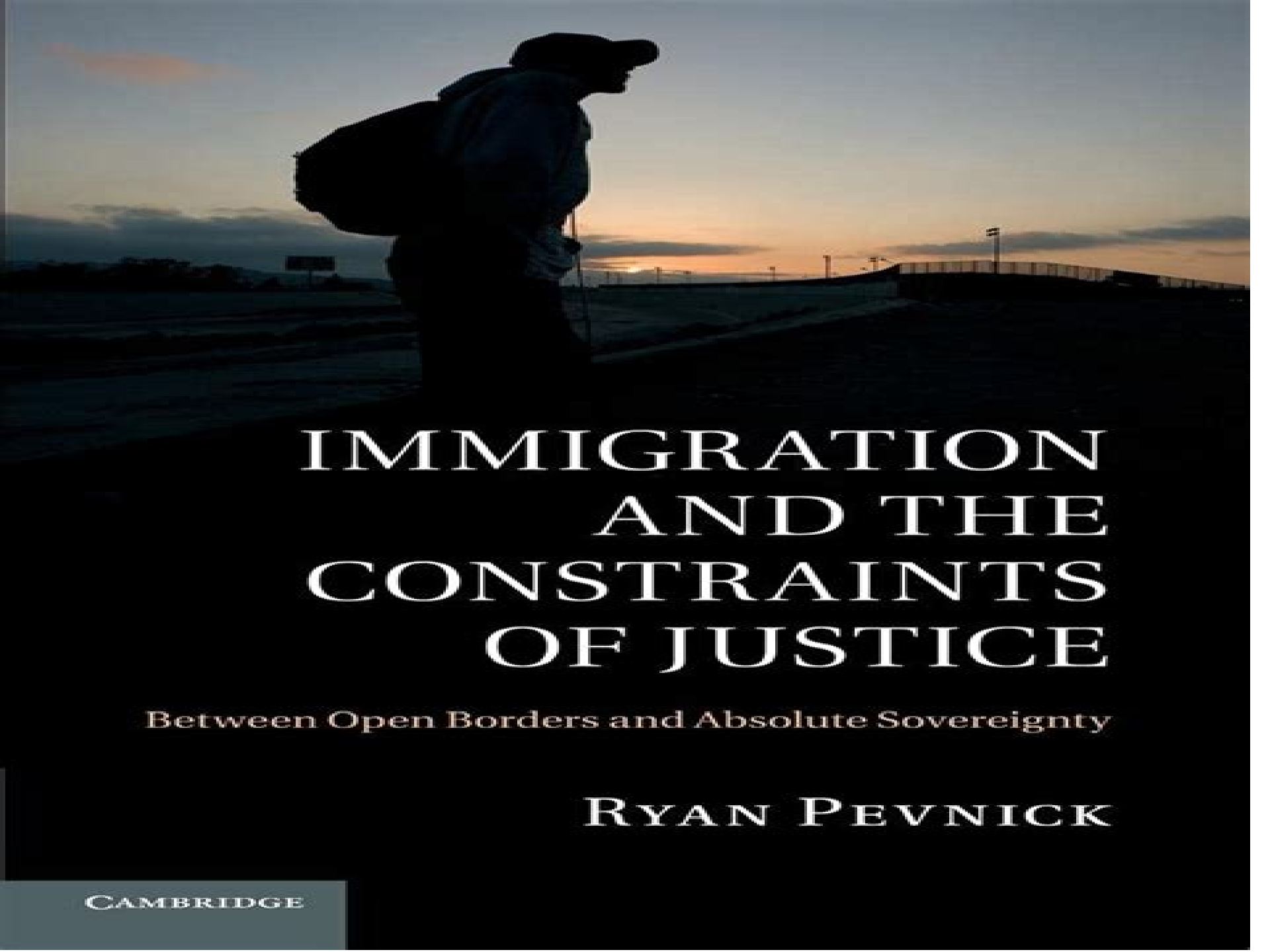


The background of the cover is a photograph showing the silhouette of a person wearing a cap and carrying a large backpack, walking towards a border fence. The scene is set at sunset or sunrise, with a warm orange glow on the horizon. The person is in the foreground, slightly to the left, and the fence stretches across the middle ground towards the right.

IMMIGRATION AND THE CONSTRAINTS OF JUSTICE

Between Open Borders and Absolute Sovereignty

RYAN PEVNICK

CAMBRIDGE

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Immigration and the Constraints of Justice Ryan Pevnick, 2011-02-24 This book explores the constraints which justice imposes on immigration policy Like liberal nationalists Ryan Pevnick argues that citizens have special claims to the institutions of their states However the source of these special claims is located in the citizenry's ownership of state institutions rather than in a shared national identity Citizens contribute to the construction and maintenance of institutions by paying taxes and obeying the law and as a result they have special claims to these institutions and a limited right to exclude outsiders Pevnick shows that the resulting view justifies a set of policies including support for certain types of guest worker programs which is distinct from those supported by either liberal nationalists or advocates of open borders His book provides a framework for considering a number of connected topics including issues related to self-determination the scope of distributive justice and the significance of shared national identity **Liberal Self-Determination in a World of Migration** Luara Ferracioli, 2021-11-12 **Liberal Self-Determination in a World of Migration** develops and defends a theory for why some children and some adults have a right to citizenship in a liberal state and why adult citizens have a moral right to design and implement their own immigration arrangements It also discusses the moral duties that liberal states have in the areas of asylum family migration and skilled migration with surprising implications regarding who exactly has a moral right to be included on a permanent basis in a liberal state ***The Oxford Handbook of Global Justice*** Thom Brooks, 2020 **The Oxford Handbook of Global Justice** explores an exciting area of refreshing innovative new ideas for a changing world facing significant challenges ***Cooperation and Social Justice*** Joseph Heath, 2022-08-31 In six new essays philosopher and award-winning author Joseph Heath explores the connection between principles of justice and the institutional arrangements required to achieve them Topics include the significance of status inequality the question of open borders and immigration the stigmatization of self-control failure and debates over racial inequality in the United States Ultimately **Cooperation and Social Justice** reveals that one cannot think about questions of social justice without also taking seriously the institutional arrangements through which they may or may not be realized **The Oxford Handbook of Distributive Justice** Serena Olsaretti, 2018 **Distributive justice** has come to the fore in political philosophy how should we arrange our social and economic institutions so as to distribute benefits and burdens fairly Thirty-eight leading figures from philosophy and political theory present specially written critical assessments of the key issues in this flourishing area of research **Justice, Migration, and Mercy** Michael I. Blake, 2020 How should we understand the political morality of migration Are travel bans walls or carrier sanctions ever morally permissible in a just society This book offers a new approach to these and related questions It identifies a particular vision of how we might apply the notion of justice to migration policy and an argument in favor of expanding the ethical tools we use to include not only justice but moral notions such as mercy **Handbook of Migration and Global Justice** Weber, Leanne, Tazreiter, Claudia, 2021-08-27 This timely Handbook brings together leading

international scholars from a range of disciplinary backgrounds and geopolitical perspectives to interrogate the intersections between migration and global justice It explores how cross border mobility and migration have been affected by rapid economic cultural and technological globalisation addressing the pressing questions of global justice that arise as governments respond to unprecedented levels of global migration Language Policy and Linguistic Justice Michele Gazzola,Torsten Templin,Bengt-Arne Wickström,2018-09-03 Language policies are increasingly acknowledged as being a necessary component of many decisions taken in the areas of the labor market education minority languages mobility and social inclusion of migrants They can affect the democratic control of political organizations and they can either entrench or reduce inequalities These are the central topics of this book Economists philosophers political scientists and sociolinguists discuss from an interdisciplinary perspective the distributive socio economic effects of language policies their impact on justice and inequality at the national or international level as well as the connection between language choices and an inclusive access to public services The range of social and economic issues raised by linguistic diversity in contemporary societies is large and this requires new approaches to tackle them This book provides new input to design better more efficient and fair language policies in order to manage linguistic diversity in different areas Topics covered include theoretical models of linguistic justice and linguistic disadvantage the assessment of the socio economic consequences of language policies the evaluation of the costs benefits and degree of inclusion of language planning measures the politics of migrants linguistic integration as well as multilingualism and economic activities These topics are discussed in different contexts including the areas inhabited by linguistic minorities cities receiving migrants and supranational organizations

Constitutive Justice William A. Barbieri,2015-09-15 Both classical and modern accounts of justice largely overlook the question of how the communities within which justice applies are constituted in the first place This book addresses that problem arguing that we need to accord a place to the theory of constitutive justice alongside traditional categories of distributive and commutative justice **Difference without Domination** Danielle Allen,Rohini Somanathan,2020-11-30 Around the globe democracy appears broken With political and socioeconomic inequality on the rise we are faced with the urgent question of how to better distribute power opportunity and wealth in diverse modern societies This volume confronts the dilemma head on exploring new ways to combat current social hierarchies of domination Using examples from the United States India Germany and Cameroon the contributors offer paradigm changing approaches to the concepts of justice identity and social groups while also taking a fresh look at the idea that the demographic make up of institutions should mirror the make up of a populace as a whole After laying out the conceptual framework the volume turns to a number of provocative topics among them the pernicious tenacity of implicit bias the logical contradictions inherent to the idea of universal human dignity and the paradoxes and problems surrounding affirmative action A stimulating blend of empirical and interpretive analyses *Difference without Domination* urges us to reconsider the idea of representation and to challenge what it means to

measure equality and inequality **Departments of Commerce, Justice, and State, the Judiciary, and related agencies appropriations for 1983** United States. Congress. House. Committee on Appropriations. Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies,1982 **Regulating Preventive Justice** Tamara Tulich,Rebecca Ananian-Welsh,Simon Bronitt,Sarah Murray,2017-01-20 Like medicine law is replete with axioms of prevention Prevention is better than cure has a long pedigree in both fields 17th century jurist Sir Edward Coke observed that preventing justice excelleth punishing justice A century later Sir William Blackstone similarly stated that preventive justice is preferable in all respects to punishing justice This book evaluates the feasibility and legitimacy of state attempts to regulate prevention Though prevention may be desirable as a matter of policy questions are inevitably raised as to its limits and legitimacy specifically how society reconciles the desirability of averting risks of future harm with respect for the rule of law procedural fairness and human rights While these are not new questions for legal scholars they have been brought into sharper relief in policy and academic circles in the wake of the September 11 terrorist attacks Over the past 15 years a body of legal scholarship has tracked the intensified preventive focus of anti terrorism law and policy observing how this focus has impacted negatively upon traditional legal frameworks However preventive law and policy in other contexts such as environmental protection mental health immigration and corruption has not received sustained focus This book extends that body of scholarship through use of case studies from these diverse regulatory settings in order to examine and critique the principles policies and paradoxes of preventive justice Whereas earlier scholars looked upon preventive justice as a source and means of regulation the powerfully argued contributions to this volume provide forceful reasons to consider whether we would do better talk about regulating preventive justice Professor Lucia Zedner Oxford University **Department of Justice Authorization and Oversight, 1981** United States. Congress. Senate. Committee on the Judiciary,1980 **An Instrumentalist Theory of Political Legitimacy** Matthias Brinkmann,2024-05-16 We are all subjected to the power of the state and other entities such as the EU But what justifies the far reaching power of these institutions Standard theories suggest that consent democracy or justification make exercising power legitimate This book however argues that these approaches do not survive philosophical scrutiny Instead it develops a radical theory of political legitimacy according to which power is justified because of the outcomes it brings about It does not primarily matter then how power is exercised instead we should focus on what it achieves This is the first book length treatment of instrumentalism It outlines the structure and core moral commitments of the theory and considers in detail how it is best formulated In particular the book sketches an abstract theory of justice and argues that our primary aim in distributing political power should be to promote justice Instrumentalism is also contrasted with the three leading theories of legitimacy based on consent democracy and public justification Not only are these competing theories unpersuasive but it is also shown that instrumentalism can replicate some of their appeal in its own way The book also untangles some conceptual confusions concerning political

legitimacy One mainstream view is that legitimacy requires authority the ability to give binding commands to people This book argues against the necessity of authority and develops an authority less model of legitimacy defining legitimacy as the separate and distinctly moral problem of justifying political power This book will appeal to anyone interested in the moral foundations of justified political power and especially to researchers in philosophy political theory and law

On Global Justice Mathias Risse, 2012-09-16 Debates about global justice have traditionally fallen into two camps Statists believe that principles of justice can only be held among those who share a state Those who fall outside this realm are merely owed charity Cosmopolitans on the other hand believe that justice applies equally among all human beings On Global Justice shifts the terms of this debate and shows how both views are unsatisfactory Stressing humanity's collective ownership of the earth Mathias Risse offers a new theory of global distributive justice what he calls pluralist internationalism where in different contexts different principles of justice apply Arguing that statists and cosmopolitans seek overarching answers to problems that vary too widely for one single justice relationship Risse explores who should have how much of what we all need and care about ranging from income and rights to spaces and resources of the earth He acknowledges that especially demanding redistributive principles apply among those who share a country but those who share a country also have obligations of justice to those who do not because of a universal humanity common political and economic orders and a linked global trading system Risse's inquiries about ownership of the earth give insights into immigration obligations to future generations and obligations arising from climate change He considers issues such as fairness in trade responsibilities of the WTO intellectual property rights labor rights whether there ought to be states at all and global inequality and he develops a new foundational theory of human rights

Germany, Europe, and the Politics of Constraint Klaus Goetz, Kenneth Dyson, 2003-10-16 These essays examine the Europeanization of the political system of the Federal Republic of Germany across the polity politics and public policy dimensions The book's 17 chapters focus on three key themes the challenge to the power of Germany to determine the course of the integrationist project and to shape European public policies the increasing constraints in the domestic political arena associated with Europeanization and domestic contestation over both the constitutive politics of the EU and specific policy choices This volume is essential reading for students of comparative European politics and German studies

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Table of Contents Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice

1. Understanding the eBook Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - The Rise of Digital Reading Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Advantages of eBooks Over Traditional Books
2. Identifying Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - User-Friendly Interface

4. Exploring eBook Recommendations from Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Personalized Recommendations
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice User Reviews and Ratings
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice and Bestseller Lists
5. Accessing Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice Free and Paid eBooks
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice Public Domain eBooks
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice eBook Subscription Services
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice Budget-Friendly Options
6. Navigating Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice eBook Formats
 - ePub, PDF, MOBI, and More
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice Compatibility with Devices
 - Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Highlighting and Note-Taking Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Interactive Elements Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
8. Staying Engaged with Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
9. Balancing eBooks and Physical Books Immigration And The Constraints Of Justice Immigration And The Constraints Of

Justice

- Benefits of a Digital Library
- Creating a Diverse Reading Collection Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice

10. Overcoming Reading Challenges

- Dealing with Digital Eye Strain
- Minimizing Distractions
- Managing Screen Time

11. Cultivating a Reading Routine Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice

- Setting Reading Goals Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
- Carving Out Dedicated Reading Time

12. Sourcing Reliable Information of Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice

- Fact-Checking eBook Content of Immigration And The Constraints Of Justice Immigration And The Constraints Of Justice
- Distinguishing Credible Sources

13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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