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GOVERNING REFUGEES
Justice, Order and Legal Pluralism

KIRSTEN McCONNACHIE

Governing Refugees Justice Order And Legal Pluralism

**Guy S. Goodwin-Gill, Jane
McAdam, Emma Dunlop**



Governing Refugees Justice Order And Legal Pluralism:

Governing Refugees Kirsten McConnachie, 2014-04-24 Refugee camps are imbued in the public imagination with assumptions of anarchy danger and refugee passivity **Governing Refugees Justice Order and Legal Pluralism** challenges such assumptions arguing that refugee camps should be recognized as spaces where social capital can not only survive but thrive This book examines camp management and the administration of justice in refugee camps on the Thailand Burma border Emphasising the work of refugees themselves in coping with and adapting to encampment it considers themes of agency sovereignty and legal pluralism in an analysis of local governance and the production of order beyond the state **Governing Refugees** will appeal to anyone with relevant interests in law anthropology and criminology as well as those working in the area of refugee studies

Refugees' Roles in Resolving Displacement and Building Peace Megan Bradley, James Milner, Blair Peruniak, 2019-06-01 How are refugee crises solved This has become an urgent question as global displacement rates continue to climb and refugee situations now persist for years if not decades The resolution of displacement and the conflicts that force refugees from their homes is often explained as a top down process led and controlled by governments and international organizations This book takes a different approach Through contributions from scholars working in politics anthropology law sociology and philosophy and a wide range of case studies it explores the diverse ways in which refugees themselves interpret create and pursue solutions to their plight It investigates the empirical and normative significance of refugees engagement as agents in these processes and their implications for research policy and practice This book speaks both to academic debates and to the broader community of peacebuilding humanitarian and human rights scholars concerned with the nature and dynamics of agency in contentious political contexts and identifies insights that can inform policy and practice

Refugee Dignity in Protracted Exile Anna Lise Purkey, 2019-12-05 This book investigates how effective human rights and the inherent dignity of refugees can be secured in situations of protracted exile and encampment The book deploys an innovative human rights based capabilities approach to address fundamental questions relating to law power governance responsibility and accountability in refugee camps Adopting an original theoretical framework the author demonstrates that legal empowerment can change the distribution of power in a given refugee situation facilitating the exercise of individual agency and assisting in the reform of the opportunity structure available to the individual Thus by helping to increase the capability of refugees to participate actively in the decisions that most affect their core rights and interests participatory approaches to legal empowerment can also assist in securing other capabilities ultimately ensuring that refugees are able to live dignified lives while in protracted exile Ultimately the book demonstrates that legal empowerment of refugees can bring lasting benefits in establishing trust between refugees the state and local communities It will be of interest to researchers within the fields of refugee studies international law development studies and political science as well as to policy makers and practitioners working in the fields of refugee assistance and humanitarian

intervention **The Oxford Handbook of Global Legal Pluralism** Paul Schiff Berman, 2020-06-01 This volume brings together leading scholars from around the world to analyze all aspects of legal pluralism offering defenses critiques and applications of legal pluralism to 21st century legal analysis Volume editor Paul Schiff Berman introduces every chapter framing the various approaches and perspectives The result is the first comprehensive review of Global Legal Pluralism scholarship ever produced Legal Consciousness and the Rule of Law in Post-Conflict Societies Holly Dunn, 2022-12-30 This book considers how legal reforms and awareness raising associated with building the rule of law have engaged the popular legal consciousness producing contradictions that have in turn shaped the nature of the resultant legality How are popular legal justice beliefs and practices transformed when legal reforms encounter local contexts and cultures For over a decade scholars have engaged with the argument that legal reform through rule of law building is the answer to the various ills of countries transitioning from war to peace or authoritarianism to democracy Yet scholars have also repeatedly critiqued rule of law building projects The rule of law in theory and in practice is a product of Western liberal thought and development and provides limited space for local culture norms and practices This tension has been playing out in multiple locations and in the Democratic Republic of Congo for about two decades This book examines how rule of law reforms in the Democratic Republic of Congo shape local understandings and practices of law and justice Instead of focusing on their so called successes and failures it explores popular legal consciousness how people think about perceive and engage with the law to draw broader conclusions about the practical everyday outcomes of attempts to build the rule of law This book will appeal to comparativists Africanists and socio legal scholars who study post conflict reconstruction rule of law building legal consciousness access to justice and legal pluralism as well as those with practical interests in these areas **Routledge Handbook of Socio-Legal Theory and Methods** Naomi Creutzfeldt, Marc Mason, Kirsten McConnachie, 2019-08-13 Drawing on a range of approaches from the social sciences and humanities this handbook explores theoretical and empirical perspectives that address the articulation of law in society and the social character of the rule of law The vast field of socio legal studies provides multiple lenses through which law can be considered Rather than seeking to define the field of socio legal studies this book takes up the experiences of researchers within the field First hand accounts of socio legal research projects allow the reader to engage with diverse theoretical and methodological approaches within this fluid interdisciplinary area The book provides a rich resource for those interested in deepening their understanding of the variety of theories and methods available when law is studied in its broadest social context as well as setting those within the history of the socio legal movement The chapters consider multiple disciplinary lenses including feminism anthropology and sociology as well as a variety of methodologies including narrative visual and spatial psychological economic and epidemiological approaches Moreover these are applied in a range of substantive contexts such as online hate speech environmental law biotechnology research in post conflict situations race and LGBT lawyers The handbook brings together younger contributors and some of

the best known names in the socio legal field It offers a fresh perspective on the past present and future of sociolegal studies that will appeal to students and scholars with relevant interests in a range of subjects including law sociology and politics Chapter 7 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

Research Handbook on the Sociology of Law Jiří Přibáň, 2020-12-25 This unique Research Handbook maps the historical theoretical and methodological concepts in sociology of law exploring the rich and complex nature of this area of research It argues that sociology of law flourishes due to its strong capacity for interdisciplinary engagement and links to other scientific concepts methodologies and research fields

The Refugee in International Law Guy S. Goodwin-Gill, Jane McAdam, Emma Dunlop, 2021 Millions of people are today forced to flee their homes as a result of conflict systematic discrimination or other forms of persecution The core instruments on which they must rely to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book the leading text in the field examines key challenges to the Convention such as the status of refugees applications for asylum and the international and domestic standards of protection The situation of refugees is one of the most pressing and urgent problems facing the international community and refugee law has grown in recent years to a subject of global importance In this long awaited fourth edition each chapter has been thoroughly revised and updated and every issue old and new has received fresh analysis The book includes analysis of internally displaced persons so called preventive protection access to refugees safety of refugees and relief personnel the situation of refugee women and children a detailed examination of the role of the UNHCR and the Palestinian situation and an assessment of the protection possibilities or lack of them in the European Convention on Human Rights This new edition has been expanded with coverage of forced migration and displacement as a result of disasters and climate change It is once again an unmissable reference work for practitioners and students in the field

Policing and the Politics of Order-Making Peter Albrecht, Helene Maria Kyed, 2014-10-30 This anthology explores the political nature of making order through policing activities in densely populated spaces across Africa Asia and Latin America Based on ethnographic research the chapters analyze this complex with respect to marginalized young men in Haiti community policing members and national politicians in Swaziland as well as other individual and collective actors engaged in policing and politics in Indonesia Swaziland Ghana South Africa Mexico Bolivia Haiti and Sierra Leone What these contexts have in common is a plurality of order making practices Not one institution monopolizes the means of violence or a de facto sovereign position to do so A number of interests are played out simultaneously entailing re negotiations over the very definition of what order is How and by whom a particular order is enforced is contested at times violently so and is therefore inherently political In the existing literature on weak states legal pluralism and policing in the Global South it is seldom made explicit that making order is a route to power and positions of political decision making It is this gap in the literature that this anthology fills as it analyses

the politics at stake in processes of order making

The Routledge Handbook of Refugees in India S. Irudaya Rajan, 2022-03-10 This handbook marks a key intervention in refugee studies in India home to diverse groups of refugees including an entire government in exile It unravels the various socio economic political and cultural dimensions of refugee issues in India The volume examines the various legal political and policy frameworks for accommodating refugees or asylum seekers in India including the Citizenship Amendment Act and the National Registry of Citizens It evaluates the lack of uniformity in the Indian legal and political framework to deal with its refugee population and analyzes the grounds of inclusion or exclusion for different groups Drawing from the experiences of Jewish Tibetan Pakistani Bangladeshi Sri Lankan Afghan and Rohingya refugees in India it analyzes debates around marginalization citizenship and refugee rights It also explores the spatial and gendered dimensions of forced migration and the cultural and social lives of displaced communities including their quest for decent work education and health The volume will be an indispensable reference for scholars lawyers researchers and students of refugee studies migration and diaspora studies public policy social policy and development studies

The Postcolonial Age of Migration Ranabir Samaddar, 2020-05-11 This book critically examines the question of migration that appears at the intersection of global neo liberal transformation postcolonial politics and economy It analyses the specific ways in which colonial relations are produced and reproduced in global migratory flows and their consequences for labour human rights and social justice The postcolonial age of migration not only indicates a geopolitical and geo economic division of the globe between countries of the North and those of the South marked by massive and mixed population flows from the latter to the former but also the production of these relations within and among the countries of the North The book discusses issues such as transborder flows among countries of the South migratory movements of the internally displaced growing statelessness leading to forced migration border violence refugees of partitions customary and local practices of care and protection population policies and migration management both emigration and immigration the protracted nature of displacement labour flows and immigrant labour and the relationships between globalisation nationalism citizenship and migration in postcolonial regions It also traces colonial and postcolonial histories of migration and justice to bear on the present understanding of local experiences of migration as well as global social transformations while highlighting the limits of the fundamental tenets of humanitarianism protection assistance security responsibility which impact the political and economic rights of vast sections of moving populations Topical and an important intervention in contemporary global migration and refugee studies the book offers new sources interpretations and analyses in understanding postcolonial migration It will be useful to scholars and researchers of migration studies refugee studies border studies political studies political sociology international relations human rights and law human geography international politics and political economy It will also interest policymakers legal practitioners nongovernmental organisations and activists

Justice Reform and Development Linn A. Hammergren, 2014-04-29 This book explores the

objectives pursued in donor programs the methods used to advance them and the underlying assumptions and strategies It emphasizes the unexpected and sometimes unpleasant consequences of ignoring not only political and societal constraints but also advances in our technical approaches to performance improvement the one area where the First World has a comparative advantage The geographic scope of the work is broad incorporating examples from Eastern and Central Europe Latin America Africa and the Asia Pacific region as well as from several First World nations Justice Reform and Development examines First World assistance to justice or rule of law reforms in developing and transitional societies arguing that its purported failure is vastly exaggerated largely because of unrealistic expectations as to what could be accomplished Change nonetheless is needed if the programs are to continue and would be best based on targeting specific performance problems incorporation of donor countries experience with their own reforms and greater attention to relevant research While contributing to an on going debate among practitioners and academics involved in justice programs this book will also be accessible to readers with little exposure to the topics especially advanced undergraduate and graduate students in law political science and areas studies

Justice and Security Reform Lisa Denney, 2014-01-10 Justice and Security Reform Development Agencies and Informal Institutions in Sierra Leone undertakes a deep contextual analysis of the reform of the country's security and justice sectors since the end of the civil war in 2002 Arguing that the political and bureaucratic nature of development agencies leads to a lack of engagement with informal institutions this book examines the challenges of sustainably transforming security and justice in fragile states Through the analysis of a post conflict context often held up as an example of successful peacebuilding Lisa Denney reveals how the politics of development agencies is an often forgotten constraint in security and justice reform and development efforts more broadly Particularly suited to upper level undergraduates and postgraduate students as well as practitioners this book is relevant to those interested in security and justice reform and statebuilding as well Sierra Leone's post conflict recovery

The Refugee System Rawan Arar, David Scott FitzGerald, 2022-09-29 Some people facing violence and persecution flee Others stay How do households in danger decide who should go where to relocate and whether to keep moving What are the conditions in countries of origin transit and reception that shape people's options This incisive book tells the story of how one Syrian family spread across several countries tried to survive the civil war and live in dignity This story forms a backdrop to explore and explain the refugee system Departing from studies that create siloes of knowledge about just one setting or solution to displacement the book's sociological approach describes a global system that shapes refugee movements Changes in one part of the system reverberate elsewhere Feedback mechanisms change processes across time and place Earlier migrations shape later movements Immobility on one path redirects migration along others Past policies laws population movements and regional responses all contribute to shape states responses in the present As Arar and FitzGerald illustrate all these processes are forged by deep inequalities of economic political military and ideological power Presenting a sharp analysis of refugee

structures worldwide this book offers invaluable insights for students and scholars of international migration and refugee studies across the social sciences as well as policy makers and those involved in refugee and asylum work Law's Memories Matt Howard, 2022-12-02 This book discusses the relationship between law and memory and explores the ways in which memory can be thought of as contributing to legal socialization and legal meaning making Against a backdrop of critical legal pluralism which examines the distributedness of law s this book introduces the notion of mnemonic legality It emphasises memory as a resource of law rather than an object of law on the basis of how it substantiates senses of belonging and comes to frame inclusions and exclusions from a national community on the basis of linear trajectory and growth narratives of nationhood Overall it explores the sensorial and affective foundations of law implicating memory and perceptions of belonging within this process of creating legality and legitimacy By identifying how memory comes to shape and inform notions of law it contributes to legal consciousness research and to important questions informing much socio legal research **Elgar Concise Encyclopedia of Migration and Asylum Law** Vincent Chetail, 2025-07-15 This Concise Encyclopedia provides a comprehensive overview of the rapidly developing field of migration and asylum law It brings clarity on key terms and critical notions while challenging misconceptions in this highly politicized sphere **Difficult Life in a Refugee Camp** Ulrike Krause, 2021-07-22 Offering nuanced insights into violence humanitarian protection gender relations and coping of refugees in a Ugandan refugee camp this book shows how risks prevail for refugees despite and partly due to their settlement in the camp and the system established to protect them and hones in on the strategies used by people to protect themselves *Public Camp Orders and the Power of Microstructures in the Thai-Burmese Borderland* Annett Bochmann, 2021-06-24 Based on extensive ethnographic field research *Public Camp Orders and the Power of Microstructures in the Thai Burmese Borderland* makes a unique contribution to empirical and theoretical discourses on camp institutions forced migration and border regimes Focusing on public camp life everyday interactions and the concept of microstructures this ethnography explores local practices of mobility governance and economy in the context of plural and temporary environments *Health in Diversity - Diversity in Health* Katharina Crepaz, Ulrich Becker, Elisabeth Wacker, 2020-02-03 European public discourse often frames forced migration solely as a security issue and ignores the implications of societal diversity for health quality of life and well being in both Africa and Europe The present volume offers an interdisciplinary and international look at the relationship between refugees diversity and health including health care policies socio political framework conditions environmental factors the situation in refugee camps quality of life approaches and economical perspectives **The UNHCR and Disaster Displacement in the 21st Century** Sinja Hantscher, 2019-07-18 This book offers an in depth case study on the leading international refugee agency the United Nations High Commissioner for Refugees UNHCR and its approach to environmentally displaced persons The author examines the UNHCR on the basis of expert interviews and content analysis in order to highlight why and how the organization is addressing the issue The

analysis draws on organizational as well as security theory offering readers a better understanding of the connection between the two The book appeals to scholars in the fields of migration and organizational studies as well as policymakers and professionals working in international organizations

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