

1. Record Nr.	UNINA9910816612703321
Autore	McMahon Aoife (Lawyer)
Titolo	The role of the state in migration control : the legitimacy gap and moves towards a regional model // by Aoife McMahon
Pubbl/distr/stampa	Leiden, [The Netherlands] ; ; Boston, [Massachusetts] : , : Brill Nijhoff, , 2017 ©2017
Descrizione fisica	1 online resource (320 pages)
Collana	Immigration and Asylum Law and Policy in Europe, , 1568-2749 ; ; Volume 40
Disciplina	325.4
Soggetti	Emigration and immigration law - Social aspects Emigration and immigration - Government policy Emigration and immigration law - European Union countries European Union countries Emigration and immigration Government policy
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Based on author's thesis (doctoral - Trinity College Dublin), 2015.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Preliminary Material -- Introduction -- The Concept of the State and Its Justification -- The Development of State Control of Migration -- Limits on State Control -- Defining the Object of Control -- The Legitimacy of State Control -- Obstacles to Legitimising State Control -- Moving beyond the Status Quo -- Conclusion -- Bibliography -- Index.
Sommario/riassunto	This research questions the seemingly ossified premise that states have an absolute discretion to control international migration. Applying Max Weber's theories of legitimacy, it determines that while states have certain traditionally legitimate functions, migration control, as distinct from the determination of citizenship, is not one such function. Measures of migration control must thus be justified on a rational-legal basis, that is, on a minimal evidential basis. Acknowledging the many obstacles states face in carrying out this legitimising exercise, it is suggested that a supranational approach at the regional level is the most sustainable long-term model, with an ultimate aim of achieving inter-regional cooperation on migration management on the basis of equality between regions.

