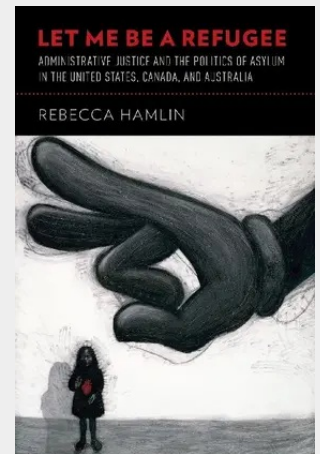


Let Me Be a Refugee

Administrative Justice and the Politics of Asylum in the United States, Canada, and Australia

Why do decision-makers in similar liberal democracies interpret the same legal definition in very different ways? International law provides states with a common definition of a 'refugee' as well as guidelines outlining how asylum claims should be decided. Yet, the processes by which countries determine who should be granted refugee status look strikingly different, even across nations with many political, cultural, geographical, and institutional commonalities. This book compares the refugee status determination (RSD) regimes of three popular asylum seeker destinations - the United States, Canada, and Australia. Despite similarly high levels of political resistance to accepting asylum seekers across these three states, once asylum seekers cross their borders, they access three very different systems. These differences are significant both in terms of asylum seekers' experience of the process and in terms of their likelihood of being found to be a refugee. The book moves beyond the claim by some scholars that asylum seeker destinations are uniformly becoming more exclusionary, and the contrary assertions of other scholars that the same destinations are converging on a new inclusive internationalism leading to the decline of state sovereignty. Instead, I find these states to be running on three distinct trajectories, none of which are totally restrictive or expansive. Based on a multi-method analysis of all three countries, including a year of fieldwork with in-depth interviews of policy-makers and asylum-seeker advocates, observations of refugee status determination hearings, and a large-scale case analysis, I find that cross-national differences have less to do with political debates over admission and border control policy than with the level of insulation the administrative decision-making agency enjoys from either political interference or judicial review. Administrative justice is conceptualized and organized differently in every state, and so states vary in how they draw the line between refugee and non-refugee.

Why do decision-makers in similar liberal democracies interpret the same legal definition in very different ways? International law provides states with a common definition of a 'refugee' as well as guidelines outlining how asylum claims should be decided. Yet, the processes by which countries determine who should be granted refugee status look strikingly different, even across nations with many political, cultural, geographical, and institutional commonalities. This book compares the refugee status determination (RSD) regimes of three popular asylum seeker destinations - the United States, Canada, and Australia. Despite similarly high levels of political resistance to accepting asylum seekers across these three states, once asylum seekers cross their borders, they access three very different systems. These differences are significant both in terms of asylum seekers' experience of the process and in terms of their likelihood of being found to be a refugee. The book moves beyond the claim by some scholars that asylum seeker destinations are uniformly becoming more exclusionary, and the contrary assertions of other scholars that the same destinations are converging on a new inclusive internationalism leading to the decline of state sovereignty. Instead, I find these states to be running on three distinct trajectories, none of which are totally restrictive or expansive. Based on a multi-method analysis of all three countries, including a year of fieldwork with in-depth interviews of policy-makers and asylum-seeker advocates, observations of refugee status determination hearings, and a large-scale case analysis, I find that cross-national differences have less to do with political debates over admission and border control policy than with the level of insulation the administrative decision-making agency enjoys from either political interference or judicial review. Administrative justice is conceptualized and organized differently in every state, and so states vary in how they draw the line between refugee and non-refugee.



60,90 €

60,90 € (zzgl. MwSt.)

Lieferfrist: bis zu 10 Tage

Artikelnummer: 9780199373314

Medium: Buch

ISBN: 978-0-19-937331-4

Verlag: OUP US

Erscheinungstermin: 16.09.2014

Sprache(n): Englisch

Auflage: Erscheinungsjahr 2014

Produktform: Kartoniert

Gewicht: 422 g

Seiten: 248

Format (B x H): 156 x 234 mm

