



When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint

By Marie-Bénédicte Dembour

Download now

Read Online ➔

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour

The treatment of migrants is one of the most challenging issues that human rights, as a political philosophy, faces today. It has increasingly become a contentious issue for many governments and international organizations around the world. The controversies surrounding immigration can lead to practices at odds with the ethical message embodied in the concept of human rights, and the notion of 'migrants' as a group which should be treated in a distinct manner. This book examines the way in which two institutions tasked with ensuring the protection of human rights, the European Court of Human Rights and Inter-American Court of Human Rights, treat claims lodged by migrants. It combines legal, sociological, and historical analysis to show that the two courts were the product of different backgrounds, which led to differing attitudes towards migrants in their founding texts, and that these differences were reinforced in their developing case law.

The book assesses the case law of both courts in detail to argue that they approach migrant cases from fundamentally different perspectives. It asserts that the European Court of Human Rights treats migrants first as aliens, and then, but only as a second step in its reasoning, as human beings. By contrast, the Inter-American Court of Human Rights approaches migrants first as human beings, and secondly as foreigners (if they are). Dembour argues therefore that the Inter-American Court of Human Rights takes a fundamentally more human rights-driven approach to this issue. The book shows how these trends formed at the courts, and assesses whether their approaches have changed over time. It also assesses in detail the issue of the detention of irregular migrants. Ultimately it analyses whether the divergence in the case law of the two courts is likely to continue, or whether they could potentially adopt a more unified practice.

 [Download When Humans Become Migrants: Study of the European ...pdf](#)

 [**Read Online** When Humans Become Migrants: Study of the Europe
...pdf](#)

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint

By Marie-Bénédicte Dembour

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour

The treatment of migrants is one of the most challenging issues that human rights, as a political philosophy, faces today. It has increasingly become a contentious issue for many governments and international organizations around the world. The controversies surrounding immigration can lead to practices at odds with the ethical message embodied in the concept of human rights, and the notion of 'migrants' as a group which should be treated in a distinct manner. This book examines the way in which two institutions tasked with ensuring the protection of human rights, the European Court of Human Rights and Inter-American Court of Human Rights, treat claims lodged by migrants. It combines legal, sociological, and historical analysis to show that the two courts were the product of different backgrounds, which led to differing attitudes towards migrants in their founding texts, and that these differences were reinforced in their developing case law.

The book assesses the case law of both courts in detail to argue that they approach migrant cases from fundamentally different perspectives. It asserts that the European Court of Human Rights treats migrants first as aliens, and then, but only as a second step in its reasoning, as human beings. By contrast, the Inter-American Court of Human Rights approaches migrants first as human beings, and secondly as foreigners (if they are). Dembour argues therefore that the Inter-American Court of Human Rights takes a fundamentally more human rights-driven approach to this issue. The book shows how these trends formed at the courts, and assesses whether their approaches have changed over time. It also assesses in detail the issue of the detention of irregular migrants. Ultimately it analyses whether the divergence in the case law of the two courts is likely to continue, or whether they could potentially adopt a more unified practice.

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour Bibliography

- Sales Rank: #2258457 in Books
- Published on: 2015-05-19
- Released on: 2015-05-19
- Original language: English
- Number of items: 1
- Dimensions: 6.10" h x 1.20" w x 9.20" l, 2.10 pounds
- Binding: Paperback
- 576 pages



[Download When Humans Become Migrants: Study of the European ...pdf](#)



[Read Online When Humans Become Migrants: Study of the Europe ...pdf](#)

Download and Read Free Online When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour

Editorial Review

Review

"With a title as hard hitting as *When Humans Become Migrants* one would hope the content of the book would be equally as striking, and thankfully it is. Through it, legal anthropologist Marie-Bénédicte Dembour challenges our thinking about the position and humanity of migrants, even before opening the book. Dembour's conceptual approach - contrasting the treatment of migrants in the European Court of Human Rights (ECtHR) with that of the Inter-American Court of Human Rights (IACHR) - provides a unique, highly relevant, and timely contribution to the field of human rights law and migration studies." --Rachael Owhin, *Border Criminologies*

"This book is highly recommendable for students, academics, and practitioners working on migration and human rights. It is an excellent and crucial addition to the literature and the first book where both regional courts are carefully examined on the issue of migrant protection. This makes the publication a lasting contribution for years to come and a central landmark in the scholarly research on the subject." --Diego Acosta Arca, Senior Lecturer in European and Migration Law, University of Bristol, *Nordic Journal of Human Rights*

"*When Humans Become Migrants* is a magisterial endeavour which will become a standard work of reference for those working in the fields of migrants' rights and the case law of the ECtHR." -Alan Desmond, Lecturer-in-Law, Leicester Law School, University of Leicester

About the Author

Marie-Bénédicte Dembour, *Professor of Law and Anthropology, University of Sussex*

Marie-Bénédicte Dembour is Professor of Law and Anthropology at the University of Sussex. She has also taught at the European University Institute, the Vrije Universiteit Brussels, and the University of Oxford. She has authored and edited numerous previous titles.

Users Review

From reader reviews:

Madeline Wayt:

Do you one among people who can't read gratifying if the sentence chained in the straightway, hold on guys this kind of aren't like that. This *When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint* book is readable through you who hate the straight word style.

You will find the information here are arrange for enjoyable looking at experience without leaving even decrease the knowledge that want to provide to you. The writer of When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint content conveys the thought easily to understand by a lot of people. The printed and e-book are not different in the written content but it just different available as it. So , do you even now thinking When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint is not loveable to be your top checklist reading book?

Ruth Aguilar:

The publication untitled When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint is the guide that recommended to you to read. You can see the quality of the reserve content that will be shown to an individual. The language that creator use to explained their way of doing something is easily to understand. The article author was did a lot of research when write the book, and so the information that they share for you is absolutely accurate. You also could possibly get the e-book of When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint from the publisher to make you much more enjoy free time.

Terry Smith:

Would you one of the book lovers? If so, do you ever feeling doubt when you find yourself in the book store? Attempt to pick one book that you just dont know the inside because don't determine book by its include may doesn't work at this point is difficult job because you are afraid that the inside maybe not since fantastic as in the outside seem likes. Maybe you answer is usually When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint why because the excellent cover that make you consider regarding the content will not disappoint you actually. The inside or content is usually fantastic as the outside as well as cover. Your reading sixth sense will directly direct you to pick up this book.

Ann McLemore:

Some individuals said that they feel uninterested when they reading a guide. They are directly felt the item when they get a half elements of the book. You can choose typically the book When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint to make your current reading is interesting. Your own personal skill of reading proficiency is developing when you like reading. Try to choose very simple book to make you enjoy to learn it and mingle the opinion about book and reading especially. It is to be initial opinion for you to like to available a book and read it. Beside that the guide When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint can to be your friend when you're experience alone and confuse in what must you're doing of these time.

**Download and Read Online When Humans Become Migrants:
Study of the European Court of Human Rights with an Inter-
American Counterpoint By Marie-Bénédicte Dembour
#FWINQ53R49U**

Read When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour for online ebook

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour Free PDF d0wnl0ad, audio books, books to read, good books to read, cheap books, good books, online books, books online, book reviews epub, read books online, books to read online, online library, greatbooks to read, PDF best books to read, top books to read When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour books to read online.

Online When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour ebook PDF download

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour Doc

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour Mobipocket

When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour EPub

FWINQ53R49U: When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint By Marie-Bénédicte Dembour