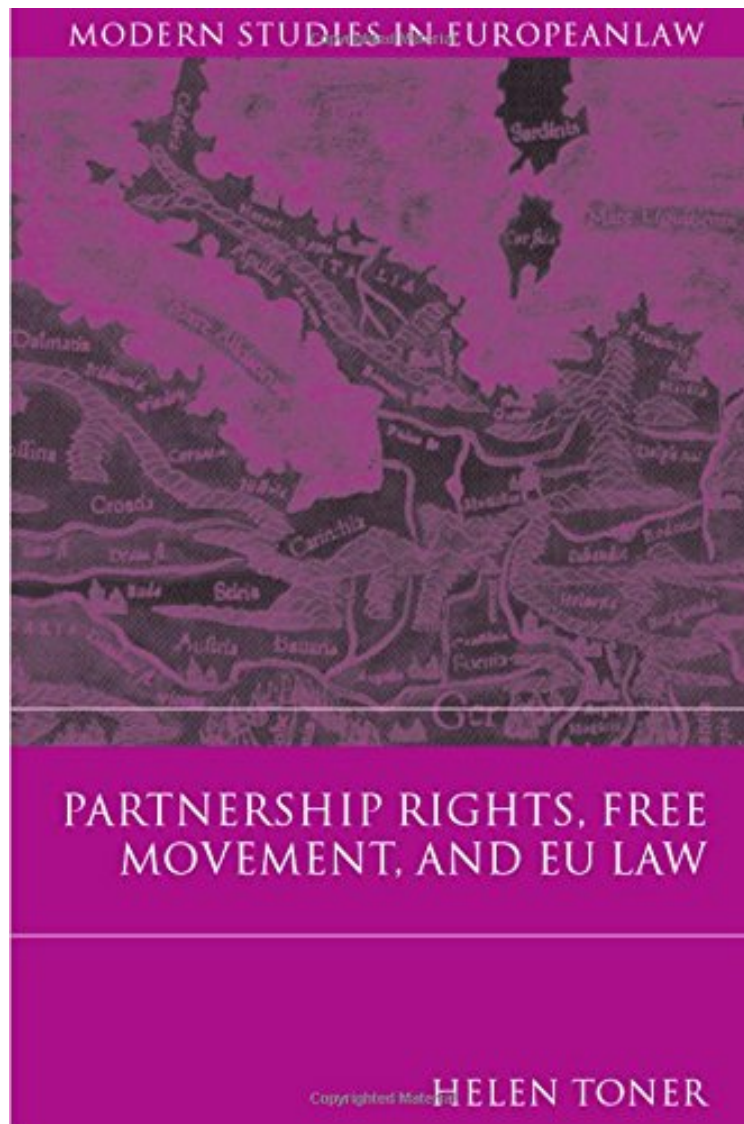


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Helen Toner

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Helen Toner : Partnership Rights, Free Movement, and EU Law (Modern Studies in European Law) before purchasing it in order to gage whether or not it would be worth my time, and all praised Partnership Rights, Free Movement, and EU Law (Modern Studies in European Law):

This book considers the case for modernizing partnership rights in EC family reunification law. Existing Community law guarantees immigration rights only to spouses and yet there is a growing diversity of national laws on registered partnerships and recognition of cohabitation. The Community institutions currently framing legislation seem to view this as a question that can be settled by political agreement with little or no outside constraint. The book challenges this assumption. Drawing on basic ECHR principles, the place of the ECHR in Community law, and on basic Community law principles of free movement and discrimination, the book argues that the right of a migrant EU Citizen to family reunification for a cohabiting partner is presumptively protected and therefore justification for refusing to admit such partners must be provided. It also considers the possible justifications for marriage-only immigration policies and concludes that although possible, such justifications are far from certain to succeed in the ECJ. The discussion on immigration rights also tackles the important question of whether judicial activism is appropriate or whether there should be judicial deference to the legislative process currently underway. The book concludes with a wider discussion of the proper response of Community law to the increasing diversity of Member States family laws and policies. The book will be of value not only to immigration lawyers, but also to those interested in partnership rights generally, as well as to a wider audience of EU lawyers, primarily academics but also graduate students and practitioners.

The book is well written, well thought through and reflects the clear legal mind of its author. Helen Toner has made a strong case for extending migration rights to same-sex spouses and unmarried partners of Union citizens moving from one Member State to another. Her book is mandatory literature for anyone interested in following or participating in this debate. Anne Peter van der Mei *Maastricht Journal of European and Comparative Law*, Vol 14, No 1 2007 The author makes a strong argument (with all of the necessary scientific rigor) for fine-tuning to take account of changes in society. Agence Europe *European Library* October 2005 ...it is a thoughtful and clear statement of the law as currently understood as well as a careful analysis of how the law ought to be drafted and applied. It is essential reading for immigration practitioners and those with a broader interest in equality law. Ulele Burnham, *Doughty Street Chambers Discrimination Law Association Briefings*, Vol 26 Oct 2005 About the Author Helen Toner is a Lecturer in Law at Warwick University.