



Reasons of Identity: A Normative Guide to the Political and Legal Assessment of Identity Claims

Avigail Eisenberg

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The current legal and political context is perhaps more congenial than ever before to considering claims made by minorities for the protection of some aspect of their identity. *Reasons of Identity* argues that diverse societies depend for their success on having courts and legislatures which are capable of assessing these identity claims in a fair and transparent manner. Despite the ubiquity of these claims today, how public decision makers assess minority identity claims in the course of decision making is only vaguely understood and mostly ignored in normative political theory and public policy analysis.

This book examines several key approaches used by national and international institutions to assess the identity claims of religious, cultural, and Indigenous minorities today. It takes up the central challenges to the public assessment of identity claims which raise concerns about the incommensurability and questionable authenticity of such claims, and about the risks of essentializing and domesticating the identities of the people who advance identity claims. It develops a guide to aid in the fair assessment of identity claims which is grounded on the requirements that public institutions must respect what people claim is deeply important to their self understandings and ways of life without merely accepting such claims at face value or deferring to claimants in every case, and public institutions must have the capacity to reflect on their own unfair biases. The guide developed in *Reasons of Identity* aims at interrogating the strength of any identity claim on bases that are respectful of differences without being blinded by them.



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