



THE RELIGION AND DIVERSITY PROJECT/RELIGION ET DIVERSITÉ



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Biography

Avigail Eisenberg is a Professor in the Department of Political Science and a Faculty Associate in the Indigenous Governance program at the University of Victoria. Before moving to Victoria, Eisenberg was an Associate Professor in the Department of Political Science at the University of British Columbia, where she spent the first ten years of her academic career. She has held visiting research fellowships at the University of Edinburgh (1996-7), and Université de Montréal (2004-5). She has been a resident fellow at the Rockefeller Centre in Bellagio Italy.

Eisenberg received her B.A. in Political Science from the University of Alberta and her M.A. and PhD in Political Studies from Queen's University in Kingston Ontario. Her MA work focused on how groups are recognized in the Canadian Charter of Rights and Freedoms. Her PhD traced the development of 20th-Century theories of political pluralism and their relevance to contemporary debates about diversity. Her research today continues to focus on issues at the intersection of political theory and Canadian politics.

She has published two sole-authored books entitled Reasons of Identity (Oxford University Press, 2009) and Reconstructing Political Pluralism (State University of New York Press, 1995), as well as many articles and chapters. She has put together numerous conferences and workshops which have resulted in four collections of research papers: Minorities within Minorities, edited with Jeff Spinner-Halev, (Cambridge 2005); Diversity and Equality (UBC Press 2006); Sexual Justice/Cultural Justice edited with Barbara Arneil, Monique Deveaux

and Rita Dhamoon (Routledge, 2007); and, most recently, Institutions and Identities (UBC Press, forthcoming) edited with Will Kymlicka.

Research Statement

My research attempts to use real-world political and legal cases to shed light on abstract debates in political theory around issues of identity, multiculturalism, and minority rights and conversely to use political theory to shed light on some of the hidden assumptions which inform legal and political reasoning, mainly in Canada, about minority rights. This work has three general goals.

First, my work explores the complexities raised by attempting to legally institutionalize philosophical ideals. It identifies the counterproductive outcomes that arise when public institutions (courts, commissions, legislatures) implement principles defended in scholarly debates about minority rights and explains why these outcomes occur. What challenges arise, for instance, when courts use cultural identity as a means to understand what an Aboriginal right consists in and what can be done to meet these challenges? What sorts of religious practices are protected when courts interpret freedom of religion so as to protect a subjective understanding of religious belief or practice?

Second, my research challenges some of the standard suppositions used in scholarly and public debates about multiculturalism and minority rights. Its aim is to examine common suppositions defended in liberal and democratic theory or in Canadian political debate which shape how minority rights and identity are understood in light of what courts actually decide or what participants in public debates claim their interests to be. For example, I conduct research on the standard responses to sexual discriminatory practices within minority communities (e.g. polygamy, sexist membership rules, and religious arbitration) and to using markers of identity to interpret minority rights (and the rights of Indigenous peoples) again with the aim of showing how these standards shape legal cases and policy making sometimes in misleading ways.

Third, my research aims at developing a form of analysis that can provide guidance to decision makers. My aim is to establish an analysis informed by philosophical ideals while at the same time firmly rooted in legal and political problem-solving. Over the last three years, I have focused on developing a set of normative principles, which are both philosophically defensible and feasible to implement, and which can serve as a guide to legal and political practitioners who make decisions about minority rights, multicultural policies and Indigenous rights on matters related to the identity. At present, my research examines the challenges related to determining the authenticity of the beliefs and practices of religious and cultural minorities as these arise in the context of this kind of legal and political decision making and offers recommendations as to how these challenges can be met. The aim is to provide this guidance which can be implemented while avoiding the bald pragmatism sometimes associated with public policy making or the technical features of some legal argumentation.