Contents

Acknowledgements — IX

1 Intr	oduction —— 1
1.1	The challenges of diversity —— 1
1.2	Leitkultur —— 2
1.3	Liberal neutrality —— 10
2 Defi	ining liberal neutrality —— 12
2.1	Neutrality is an ill-defined term —— 12
2.2	Conceptions of neutrality —— 15
2.2.1	Neutrality of impact —— 16
2.2.2	Neutrality as equality of opportunity —— 18
2.2.3	Justificatory neutrality —— 21
2.3	Contexts of neutrality —— 25
2.3.1	Constitutional essentials —— 26
2.3.2	Political decision-making —— 28
2.3.2.1	Neutrality as respectful non-identification —— 30
2.3.2.2	Relational neutrality —— 31
2.3.3	Neutral behaviour of state officials —— 33
2.4	Neutrality as a two-fold concept —— 39
3 The	right and the good —— 42
3.1	Neutrality versus toleration —— 42
3.2	The right versus the good —— 44
3.3	Theories of rights —— 46
3.4	Thin versus thick conceptions of the good —— 49
3.4.1	Rawls's thin theory of the good —— 53
3.4.2	Dworkin's thin theory of the good —— 56
3.5	Another complication —— 58
3.6	Comprehensive versus political conceptions — 59
3.7	The need for a thin political theory of the good —— 62
4 Gro	unding neutrality —— 64
4.1	Society as a fair system of cooperation over time —— 66
4.2	Citizens as equipped with two moral powers —— 67
4.3	Citizens as free and equal persons —— 69
4.3.1	Citizens as free —— 69
4.3.2	Citizens as equal —— 74

4.4	Citizens as free and equal as thin political conception —— 80		
4.5	The limits of the project —— 82		
5 Justifying the respect element —— 84			
5.1	Coercive power and the state —— 85		
5.1.1	All state action involves coercion —— 86		
5.1.2	All state action needs to be justifiable to the citizens affected — 87		
5.1.3	The state has no right to do wrong —— 88		
5.2	Justifying coercion —— 91		
5.2.1	Reasonable agreement justifies coercion —— 91		
5.2.1.1	The addressees of justification —— 92		
5.2.1.2	The scope of the need for justification —— 93		
5.2.1.3	The criteria for reasonable acceptability —— 95		
5.2.1.4	What citizens can be reasonably expected to agree on —— 97		
5.2.2	Protecting rights justifies coercion —— 99		
5.2.2.1	Interest theories of rights —— 99		
5.2.2.2	Choice theories of rights —— 100		
5.2.2.3	Common ground —— 101		
5.2.3	Protecting rights is the only justification for coercion —— 102		
5.2.3.1	The right to be left alone —— 102		
5.2.3.2	Reasons for state action have to outweigh the right to be left		
	alone —— 108		
5.3	The respect element of neutrality —— 111		
6 Just	tifying the fairness element —— 112		
6.1	Treating people as equals —— 112		
6.2	Rawls's conception of citizens as equal —— 114		
6.3	Treating citizens as equals with regard to their two moral		
	powers —— 116		
6.4	Respecting the two moral powers equally —— 117		
6.4.1	Respecting the capacity for the right —— 118		
6.4.2	Respecting the capacity for the good —— 121		
6.5	Formal versus fair political participation —— 123		
6.5.1	Cultural differences —— 126		
6.5.2	The implementation of neutrally justified rules —— 131		
6.6	The need to be aware of differences —— 136		

lementing liberal neutrality —— 138
Justificatory neutrality —— 139
Citizens as free —— 140
Citizens as equal —— 142
Enabling cooperation —— 145
Fair cooperation —— 146
The scope and limits of justificatory neutrality —— 148
Procedural neutrality —— 149
Equal political rights and their fair value —— 149
Minority representation —— 151
Contestatory democracy —— 157
Liberal neutrality in the headscarf case —— 161
clusion — 166
Summary of the argument —— 166
The three challenges of pluralism —— 168
The third challenge —— 169
liography —— 172

Index — 177