Michel de Montaigne’s treatment of fourth-century Roman emperor Julian in De la liberté de conscience offers a fascinating lesson in church-state relations and Montaigne’s relationship with himself. In both, the lesson concerns treatment of the Other. Though deemed ‘the apostate’ by early Christians for disestablishing Christianity as the religion of the Roman empire, Julian adopted public toleration of all religions—a pragmatic approach toward public order Montaigne considers praiseworthy in contrast to the violent way Europeans were dealing with the ‘Other’ (Protestant and Catholic) during the Wars of Religion. A distinction needed to be made, as Julian did, between one’s private religious convictions and one’s public duty to tolerate religious difference for the sake of social peace. As a descendent of Spanish Jews, Montaigne was aware of the analogous distinction between the ‘outer’ and ‘inner’ man. Posner claims that it is easy to imagine Montaigne himself in the position of Emperor Julian: conforming to the state religion for the sake of order, while remaining internally Other.
public order. Recently, Islam has been taken to task for maintaining a strict distinction between believers and nonbelievers—a distinction at odds with a social contract theory to which all are party. While acknowledging that Islam is a “world-embracing” religion that must influence all aspects of human life, and that a militant Islam which is currently ascendant is antidemocratic, the chapter maintains that the Qur’an and Islamic tradition lend support to a tolerant, pluralistic democracy. The Qur’an supports pluralist democracy by virtue of its recognition of both universality and particularity, as it makes clear that all persons have a capacity to distinguish right from wrong. In addition, Qur’an recognizes historical particularity, for example the shame Adam and Eve felt at their nakedness is an especially Semitic reaction.

Legal Censure
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This chapter examines the Iranian state's attempts over the past century to eliminate the practices of rammals as threats to public order. Rammals are known to resist regulation by the state, as can be seen in the spatial location of their practices. There are no shops or businesses where occult specialists may legitimately offer their services for a fee. They often change their addresses to avoid state surveillance. The chapter considers the criminalization of the occult professions as well as the intensification of punishments for occult practitioners, arguing that the conception of rational civil order under the Islamic Republic is linked to the moral leadership of the ulama. It also discusses the evolution of the legal framework for occult professions, which are now sometimes treated as fraud.